

AGENDA
CITY COUNCIL
Tuesday, February 28, 2023
9:30 AM

The regular meeting of the City Council will be held on February 28, 2023 at 9:30 AM in the Council Chambers
455 N. Main Street, Wichita, KS 67202.

OPENING OF REGULAR MEETING

Call to Order

Approve the minutes of regular meeting of February 21, 2023.

II. CONSENT AGENDA ITEMS 1 THROUGH 13

NOTICE: Items listed under the "Consent Agendas" will be enacted by one motion with no separate discussion. If discussion on an item is desired, the item will be removed from the "Consent Agendas" and considered separately (The Council will be considering the City Council Consent Agenda as well as the Planning, Housing, and Airport Consent Agendas. Please see "ATTACHMENT 1 – CONSENT AGENDA ITEMS" for a listing of all Consent Agenda Items.

COUNCIL BUSINESS

III. BOARD OF BIDS AND CONTRACTS

1. Board of Bids and Contracts dated February 27, 2023.

RECOMMENDED ACTION: Receive and file report, approve the contracts and authorize the necessary signatures.

[02-27-2023 Board of Bids.pdf](#)

IV. PETITIONS FOR PUBLIC IMPROVEMENTS

1. Petitions for Public Improvements

RECOMMENDED ACTION: Approve the new and revised petitions and budgets, adopt the new and amending resolutions, and authorize the necessary signatures.

[PFPI.docx](#)

[Lionsgate Addn.pdf](#)

[Fossil Rim Commercial.pdf](#)

[Meadowland Addn.pdf](#)

[Casa Bella 2nd Ph 8.pdf](#)

[Resolution No. 23-089 WDS004197](#)

[Resolution No. 23-090 SS004198](#)
[Resolution No. 23-091 PV085887](#)
[Resolution No. 23-092 SS004983](#)
[Resolution No. 23-093 SS004200](#)
[Resolution No. 23-094 PV085829](#)

COUNCIL AGENDA

X. COUNCIL MEMBER AGENDA

XI. COUNCIL MEMBER APPOINTMENTS AND COMMENTS

1. Board Appointments.

RECOMMENDED ACTION: Approve the appointments.

ADJOURNMENT

ATTACHMENT 1 - CONSENT AGENDA ITEMS 1 THROUGH 13

II. CITY COUNCIL CONSENT AGENDA ITEMS

1. Applications for Licenses to Retail Cereal Malt Beverages:

a. Applications for Licenses to Retail Cereal Malt Beverages.

RECOMMENDED ACTION: Approve licenses subject to staff review and approval.
[CMBs for February 28, 2023.docx](#)

2. Minutes of Advisory Boards/Commissions:

[Board of Building Code Standards and Appeals Minutes December 5, 2022](#)
[Wichita Public Library Monthly Activity Report January 2023](#)
[Library Board of Directors January 17, 2023](#)
[Board of Building Code Standards and Appeals Minutes December 5, 2022.pdf](#)
[Wichita Public Library Monthly Activity Report January 2023.pdf](#)
[Library Board of Directors January 17, 2023.pdf](#)

Uncategorized Items:

3. Community Event with Alcohol Consumption – Wichita Wagonmasters' Downtown St. Patrick's Day Party (Districts I & VI)

RECOMMENDED ACTION: Adopt the resolution to allow alcohol consumption upon sidewalks and public streets within the parameters outlined in the Community Event

Application during the Wichita Wagonmasters' Downtown St. Patrick's Day Party on March 11, 2023, and authorize the necessary signatures.

[Agenda Report No. II-3.docx](#)

[Site Plan Wichita Wagonmasters St. Patrick's Day Party.pdf](#)

[Resolution No. 23-095.docx](#)

4. Community Events with Alcohol Consumption – Final Fridays and Tacos and Tequila – Resolution (District I)

RECOMMENDED ACTION: Adopt the resolution to allow alcohol consumption during the Final Fridays and Tacos and Tequila events listed in the resolution that will occur from March 31, 2023 through September 29, 2023.

[Agenda Report No. II-4.docx](#)

[Final Fridays Site Plan.pdf](#)

[Resolution No. 23-096](#)

5. Proposed Assessment Rolls

Proposed Assessment Rolls have been prepared for thirty-six (36) water projects, twenty-two (22) sewer projects, fourteen (14) storm sewer projects and thirty-one (31) paving projects and it is necessary to set a public hearing date. A virtual informal hearing with City personnel will be held March 20, 2023, at 11:00 a.m. Notification of both the informal and formal public hearings regarding the proposed special assessments will be mailed to affected property owners on March 3, 2023.

RECOMMENDED ACTION: Set the hearing on the Proposed Assessment Rolls for 9:00 a.m., Tuesday, May 09, 2023.

[832 PAR for CC.doc](#)

6. Visit Wichita TGT Reporting October 2022

RECOMMENDED ACTION: Receive and file

[Visit Wichita TGT Reporting 11.2022.pdf](#)

[Visit Wichita TGT Reporting 12.2022.pdf](#)

7. Wichita Downtown Streets Conceptual Plan Bonding Resolution

RECOMMENDED ACTION: Adopt the resolution and authorize the necessary signatures.

[Agenda Report No. II-7.doc](#)

[Resolution No. 23-097](#)

8. Water Conservation – 2023 Rebate Program Effective Date

RECOMMENDED ACTION: Approve the extension of 2023 Water Conservation Rebate Program to be retroactive effective November 23, 2022.

[Agenda Report No. II-8.docx](#)

9. Resolutions Authorizing Federal Transit Administration Surface Transportation Block Grant for Wichita Transit Network System Redesign Plan

RECOMMENDED ACTION: Adopt the resolution, adopt the bonding resolution, and authorize the necessary signatures.

[Agenda Report No. II-9.docx](#)

[Resolution No. 23-098](#)

[Resolution No. 23-099](#)

10. **Second Reading Ordinances:**

Second Reading Ordinances (First read February 21, 2023)

RECOMMENDED ACTION: Adopt the ordinances.

[List of Second Reading Ordinances 02-28-2023.docx](#)

II. **CONSENT PLANNING AGENDA ITEMS**

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

11. SUB2022-00072 -- Plat of Lionsgate Addition Located on the South Side of West Pawnee Avenue, One-Half Mile East of South 135th Street West (District IV)

RECOMMENDED ACTION: Approve the documents and plat and authorize the necessary signatures.

[Agenda Report No. II-11.docx](#)

[Certificate of Petition Lionsgate Addition SUB2022-00072.pdf](#)

[Restrictive Covenants Lionsgate Addition SUB2022-00072.pdf](#)

II. **CONSENT HOUSING AGENDA ITEMS - NONE**

NOTICE: The City Council is meeting as the governing body of the Housing Authority for consideration and action on the items on this Agenda, pursuant to State law, HUD, and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion. A Housing Member is also seated with the City Council.

II. **CONSENT AIRPORT AGENDA ITEMS**

NOTICE: The City Council is meeting as the governing body of the Airport Authority for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion

12. EagleMed, LLC, Supplemental Agreement No. 4 - 2163 Air Cargo Rd, Units I, J, K - Wichita Dwight D. Eisenhower National Airport

RECOMMENDED ACTION: Approve the supplemental agreement and authorize the necessary signatures.

[Agenda Report No. II-12.doc](#)

[EagleMed SA 4 - 2163 AP Final 20230228.pdf](#)

13. EagleMed, LLC - Supplemental Agreement No.5 - 1761 Airport Rd. Suite 400 - Wichita Dwight D. Eisenhower National Airport

RECOMMENDED ACTION: Approve supplemental agreement and authorize the necessary signatures.

[Agenda Report No. II-13.doc](#)

[EagleMed SA 5 - 1761 AP Final 20230228.pdf](#)

Wichita, Kansas
February 27, 2023
10:00 a.m., Monday
Conference Room, 12th Floor

MINUTES – BOARD OF BIDS AND CONTRACTS*

The Board of Bids and Contracts met with Martha Strayer, Administrative Assistant, representing Public Works & Utilities, Josh Lauber, Senior Buyer, representing Purchasing, Kim Pelton, Administrative Assistant, representing Public Works & Utilities, Cheryl Busada, Debt Manager, Finance, representing the Director of Finance, Josie Dolenz, Fellow, representing the City Manager's office, and Sashia Beard, Deputy City Clerk present.

Minutes of the regular meeting dated February 13, 2023, were read and on motion approved.

Bids were opened February 17, 2023, and February 24, 2023, pursuant to advertisements published on:

2023 OP3 Joint Crack Seal Phase 3– Public Works & Utilities Dept./Engineering Div. (472-2023-085841/E1107)

Conspec, Inc. dba Kansas Paving - \$175,000.00
(Contract awarded for the Engineer's Estimate, Original Bid \$144,500.00)

WDS/SWD/SS to Serve Colt Meadows Addition– Public Works & Utilities Dept./Engineering Div. (482-2022-010929/E2093, 458-2022-085500/E2092, 468-2022-010931/E2091)

Nowak Construction., Inc.	Group 1 WDS	\$135,530.00
	Group 2 SWD	\$729,427.90
	Group 3 SS	<u>\$375,286.80</u>
	Aggregate Bid Total	\$1,240,244.70

(Award 3-21-23 subject to City Council approval of new Engineer's Estimate and Budget Authorization)

2023 OP3 Joint & Crack Seal Phase 4- Public Works & Utilities Dept./Engineering Div. (472-2023-085842/E1107)

Circle C Paving and Construction, LLC \$147,000.00
(Contract awarded for an amount up to the Engineer's Estimate, Original Bid \$126,345.00)

WDS/SS/PAV to Serve Cornejo Industrial District 2nd- Public Works & Utilities Dept./Engineering Div. (448-2021-017261/C2008, 468-2021-017263/C2007, 472-2021-0852727/C2006)

Pearson Construction, LLC	Division	Group 1 -WDS	\$76,860.00
		Group 2 – SS	\$53,499.00
		Group 3 – PAV	<u>\$499,589.20</u>
		Aggregate Bid Total	\$629,948.20

Purchasing Manager recommended that the contracts be awarded as outlined above, subject to check, same being the lowest and best bids within the Engineer's construction estimate.

On motion the Board recommended that the contracts be awarded as outlined above subject to check, same being the lowest and best bids within the Engineer's construction estimate.

**PUBLIC WORKS & UTILITIES DEPARTMENT/BUILDING SERVICES DIVISION -
Construction of Shoot Tank & Workspace**

Specialty Contractors Inc	Base Bid	\$178,470.00
	Add Alt 2	<u>\$ 8,547.00</u>
	Aggregate Bid Total	\$187,017.00

**PUBLIC WORKS & UTILITIES DEPARTMENT/ PRODUCTION & PUMPING DIVISION-
Liquid Phosphate**

Chemrite, Inc.	\$74,800.00
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(See Exhibit B for Itemized Pricing in the Formal Bid Report)

**PUBLIC WORKS & UTILITIES DEPARTMENT/ WATER DISTRIBUTION DIVISION- Meters,
Replacement Parts, & Itron ERTS**

Master Meter Inc	Group3	\$404,675.00
(Re-direct Award)		

WICHITA POLICE DEPARTMENT - 2023 Chevrolet Tahoe

Parks Chevrolet of Augusta	\$59,899.00
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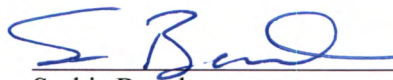
(Purchasing Utilizing No Bids Received Ordinance No. 51-938 Section 2. (d))


Purchasing Division recommended that the contracts be awarded as outlined above, same being the lowest and best bid

On motion, the Board recommended that the contracts be awarded as outlined above, same being the lowest and best bid.

On motion the Board of Bids adjourned.

Martha Strayer, Administrative Assistant
Department of Public Works & Utilities


Sasha Beard
Deputy City Clerk



FORMAL BID REPORT**EXHIBIT A**

TO: Robert Layton, City Manager
DATE: February 27, 2023

ENGINEERING BIDS – GARY JANZEN, CITY ENGINEER**February 17, 2023**

2023 OP3 Joint Crack Seal Phase 3 – Public Works & Utilities Department/Engineering Division

Conspec, Inc. dba Kansas Paving **\$175,000.00**

(Contract awarded for the Engineer's Estimate, Original Bid \$144,500.00)

WDS/SWD/SS to Serve Colt Meadows Addition – Public Works & Utilities Department/Engineering Division

Nowak Construction Co., Inc. **Group 1-WDS** **\$135,530.00**

Group 2-SWD **\$729,427.90**

Group 3-SS **\$375,286.80**

Aggregate Bid Total **\$1,240,244.70**

(Award 3-21-23 subject to City Council approval of new Engineer's Estimate and Budget Authorization)

February 24, 2023

2023 OP3 Joint & Crack Seal Phase 4 – Public Works & Utilities Department/Engineering Division

Circle C Paving and Construction, LLC **\$147,000.00**

(Contract awarded for an amount up to the Engineer's Estimate, Original Bid \$126,345.00)

WDS/SS/PAV to Serve Cornejo Industrial District 2nd – Public Works & Utilities Department/Engineering

Pearson Construction, LLC **Division** **Group 1-WDS** **\$76,860.00**

Group 2-SS **\$53,499.00**

Group 3-PAV **\$499,589.20**

Aggregate Bid Total **\$629,948.20**

PURCHASING BIDS – MELINDA WALKER, PURCHASING MANAGER**February 17, 2023**

Construction of Shoot Tank & Workspace – Public Works & Utilities Department/Building Services Division

Specialty Contractors Inc **Base Bid** **\$178,470.00**

Add Alt 2 **\$ 8,547.00**

Aggregate Bid Total **\$187,017.00**

Liquid Phosphate – Public Works & Utilities Department/Production & Pumping Division

Chemrite, Inc. **\$74,800.00**

(See Exhibit B for Itemized Pricing in the Formal Bid Report)

Meters, Replacement Parts, & Itron ERTS – Public Works & Utilities Department/Water Distribution Division

Master Meter Inc **Group 3** **\$404,675.00**

(Re-direct Award)

2023 Chevrolet Tahoe – Wichita Police Department

Parks Chevrolet of Augusta **\$59,899.00**

(Purchasing Utilizing No Bids Received Ordinance No. 51-938 Section 2. (d))

Jason Brogden
Melinda A. Walker
for **Purchasing Manager**

PAVING BID TABULATION SUMMARY

BOARD OF BIDS - February 17, 2023

233034		Engineer's Construction Estimate	PPJ CONSTRUCTION INC	CIRCLE C PAVING AND CONSTRUCTION LLC	CONSPEC INC
2023 OP3 Joint & Crack Seal, Phase 3		\$175,000.00	\$159,200.00	\$149,300.00	\$144,500.00
(Various locations)	BID BOND				
472-2023-085841	ADDENDA	0			
E1107					
		Engineer's Construction Estimate	SCODELLER CONSTRUCTION INC		
2023 OP3 Joint & Crack Seal, Phase 3		\$175,000.00	\$162,500.00		
(Various locations)	BID BOND				
472-2023-085841	ADDENDA	0			
E1107					
		Engineer's Construction Estimate			
2023 OP3 Joint & Crack Seal, Phase 3		\$175,000.00			
(Various locations)	BID BOND				
472-2023-085841	ADDENDA	0			
E1107					
		Engineer's Construction Estimate			
2023 OP3 Joint & Crack Seal, Phase 3		\$175,000.00			
(Various locations)	BID BOND				
472-2023-085841	ADDENDA	0			
E1107					
Contract has been awarded for the Engineer's Estimate of \$175,000.00.					

CHECKED BY: REVIEWED BY: 

WATER/DRAINAGE/SEWER BID TABULATION SUMMARY

BOARD OF BIDS - February 17, 2023

233035		Engineer's Construction Estimate	NOWAK CONSTRUCTION CO INC	APEX EXCAVATING LLC	MIES CONSTRUCTION INC
Water Distribution System 448-2022-010929 E2093	GROUP 1		\$135,530.00	\$237,800.00	\$152,829.00
Storm Water Drain #489 458-2022-085500 E2092	GROUP 2		\$729,427.90	\$909,500.00	\$778,025.20
Sanitary Sewer Improvements 468-2022-010931 E2091	GROUP 3		\$375,286.80	\$471,460.00	\$343,103.00
Colt Meadows Addition	BID BOND				
	ADDENDA	2			
TOTAL BID			\$1,240,244.70	\$1,618,760.00	\$1,273,957.20
		Engineer's Construction Estimate	DONDLINGER & SONS CONSTRUCTION CO INC	MCCULLOUGH EXCAVATION INC	
Water Distribution System 448-2022-010929 E2093	GROUP 1		\$157,140.00	\$145,722.00	
Storm Water Drain #489 458-2022-085500 E2092	GROUP 2		\$783,810.90	\$882,518.70	
Sanitary Sewer Improvements 468-2022-010931 E2091	GROUP 3		\$508,390.00	\$448,913.00	
Colt Meadows Addition	BID BOND				
	ADDENDA	2			
TOTAL BID			\$1,449,340.90	\$1,477,153.70	
		Engineer's Construction Estimate			
Water Distribution System 448-2022-010929 E2093	GROUP 1				
Storm Water Drain #489 458-2022-085500 E2092	GROUP 2				
Sanitary Sewer Improvements 468-2022-010931 E2091	GROUP 3				
Colt Meadows Addition	BID BOND				
	ADDENDA	2			
TOTAL BID					
Award 3-21-23 subject to City Council approval of new Engineer's Estimate and Budget Authorization.					

CHECKED BY:

REVIEWED BY:

PAVING BID TABULATION SUMMARY

BOARD OF BIDS - February 24, 2023

233040		Engineer's Construction Estimate	SCODELLER CONSTRUCTION INC	CIRCLE C PAVING AND CONSTRUCTION LLC	PPJ CONSTRUCTION INC
2023 OP3 Joint & Crack Seal, Phase 4		\$167,250.00	\$154,200.00	\$126,345.00	\$143,250.00
(Various locations)	BID BOND				
472-2023-085842	ADDENDA	0			
E1107					
		Engineer's Construction Estimate	CONSPEC INC dba KANSAS PAVING		
2023 OP3 Joint & Crack Seal, Phase 4		\$167,250.00	\$133,800.00		
(Various locations)	BID BOND				
472-2023-085842	ADDENDA	0			
E1107					
		Engineer's Construction Estimate			
2023 OP3 Joint & Crack Seal, Phase 4		\$167,250.00			
(Various locations)	BID BOND				
472-2023-085842	ADDENDA	0			
E1107					
		Engineer's Construction Estimate			
2023 OP3 Joint & Crack Seal, Phase 4		\$167,250.00			
(Various locations)	BID BOND				
472-2023-085842	ADDENDA	0			
E1107					
Contract has been awarded for \$147,000.00.					

CHECKED BY: JP

REVIEWED BY: jd

WATER/SEWER/PAVING BID TABULATION SUMMARY

BOARD OF BIDS - February 24, 2023

233041		Engineer's Construction Estimate	PEARSON CONSTRUCTION LLC	WILDCAT CONSTRUCTION CO INC	
Water Distribution System 448-2021-017261 C2008	Group 1		\$76,860.00	\$79,185.00	
Sanitary Sewer Improvements 468-2021-017263 C2007	Group 2		\$53,499.00	\$57,454.00	
Cleveland Court 472-2021-0852727 C2006	Group 3		\$499,589.20	\$761,819.20	
Cornejo Industrial District 2nd	BID BOND				
	ADDENDA	1			
BID TOTAL			\$629,948.20	\$898,458.20	
		Engineer's Construction Estimate			
Water Distribution System 448-2021-017261 C2008	Group 1				
Sanitary Sewer Improvements 468-2021-017263 C2007	Group 2				
Cleveland Court 472-2021-0852727 C2006	Group 3				
Cornejo Industrial District 2nd	BID BOND				
	ADDENDA	1			
BID TOTAL					
		Engineer's Construction Estimate			
Water Distribution System 448-2021-017261 C2008	Group 1				
Sanitary Sewer Improvements 468-2021-017263 C2007	Group 2				
Cleveland Court 472-2021-0852727 C2006	Group 3				
Cornejo Industrial District 2nd	BID BOND				
	ADDENDA	1			
BID TOTAL					

CHECKED BY: _____

REVIEWED BY: _____

BID TABULATION						
BID NO: 233022						
RFB - Construction of Shoot Tank & Workspace						
BASIS OF AWARD			SKY CONTRACTING COMPANY INC		SPECIALTY CONTRACTORS INC	
Group 1						
Description	Quantity	Unit	Unit Price	Sub Total	Unit Price	Sub Total
Provide material, labor, and equipment to complete construction of a shoot tank room and workspace located inside the existing Rounds and Porter P&E facility @ 410 N Waco Avenue per drawings and specifications.	1.00	LS	\$193,750.00000	\$193,750.00	\$178,470.00000	\$178,470.00
Add Alt No 1 - Provide Labor, Material, & Equipment to Renovate Concrete Ramp & Garage Door per drawings & specifications.	1.00	LS	\$41,950.00000	\$41,950.00	\$28,400.00000	\$28,400.00
Add Alt No 2 - Provide Labor, Material, & Equipment for Trench Drain & Exterior Bollards per drawings & specifications	1.00	LS	\$9,975.00000	\$9,975.00	\$8,547.00000	\$8,547.00
	Group 1 SubTotal		\$245,675.00000	\$245,675.00	\$215,417.00000	\$215,417.00
	Grand Total		\$245,675.00000	\$245,675.00	\$215,417.00000	\$215,417.00

Award 02/28/2023 Base Bid with Add Alt # 2 Public Works & Utilities Department/Building Services Division

BID TABULATION										
BID NO: 233030										
RFB - Liquid Phosphate										
BASIS OF AWARD			SHANNON CHEMICAL CORPORATION		CARUS LLC		LAFE T WILLIAMS & ASSOCIATES INC		CHEMRITE INC	
Liquid Phosphate										
Description	Quantity	Unit	Unit Price	Sub Total	Unit Price	Sub Total	Unit Price	Sub Total	Unit Price	Sub Total
Liquid Phosphate, Minimum Delivery 1,800 gallons. Specify Manufacturer/Product	55,000.00	LB	\$1.83000	\$100,650.00	\$1.39000	\$76,450.00	\$0.87000	\$47,850.00	\$1.36000	\$74,800.00
		Liquid Phosphate SubTotal	\$1.83	\$100,650.00	\$1.39	\$76,450.00	\$0.87	\$47,850.00	\$1.36	\$74,800.00
		Grand Total	\$1.83000	\$100,650.00	\$1.39000	\$76,450.00	\$0.87000	\$47,850.00	\$1.36000	\$74,800.00
								DOES NOT MEET SPECS		

****Award 2-28-2023 Public Works & Utilities Department/Production & Pumping****

Shannon Chemical Corp

Shannon chemical corp SLI-5240

Escalating dependent on current market conditions

Carus LLC

Carus 8500 water treatment chemical

6 month firm pricing

Lafe T Williams

Hawkins-manufacturer

LPC-AM-product number

Price firm for 6 months

Chemrite

Chemrite/Philltec COP-1200/PT-3070, 1600 gallon min order 7-14 days ARO

Escalating, good for 1 year

BID TABULATION								
BID NO: 220281								
RFB - Meters, Replacement Parts, & Itron ERTS								
BASIS OF AWARD			MIDWEST METER INC		SCHULTE SUPPLY INC		MASTER METER INC	
Group 1								
Description	Quantity	Unit	Unit Price	Sub Total	Unit Price	Sub Total	Unit Price	Sub Total
Group 1: Badger Model 25/Neptune T-10 5/8" Cold Water Meters in cubic feet with HRE-6 Registers as per specifications	500.00	EA	\$104.86000	\$52,430.00	\$99.95000	\$49,975.00		\$0.00
Group 1: Badger Model 35/Neptune T-10 3/4" Cold Water Meters in cubic feet with HRE-6 Registers as per specifications	250.00	EA	\$125.80000	\$31,450.00	\$129.95000	\$32,487.50		\$0.00
Group 1: Badger Model 55/Neptune T-10 1" Cold Water Meters in cubic feet with HRE-6 Registers as per specifications	1,500.00	EA	\$162.00000	\$243,000.00	\$179.95000	\$269,925.00		\$0.00
Group 1: Badger Model 25/Neptune T-10 5/8" x 3/4" Cold Water Meters in cubic feet with HRE-6 Registers as per specifications	250.00	EA	\$125.80000	\$31,450.00	\$99.95000	\$24,987.50		\$0.00
Group 1: Badger Model 70/Neptune T-10 1" Cold Water Meters in cubic feet with HRE-6 Registers as per specifications	50.00	EA	\$209.00000	\$10,450.00	\$179.95000	\$8,997.50		\$0.00
Group 1: Repair parts for Badger Meter Model 25/Neptune T-10-5/8" Chambers	400.00	EA	\$36.06000	\$14,424.00	\$14.95000	\$5,980.00		\$0.00
Group 1: Repair parts for Badger Meter Model 25/Neptune T-10-5/8" Bottoms	100.00	EA	\$7.08000	\$708.00	\$3.95000	\$395.00		\$0.00
Group 1: Repair parts for Badger Meter Model 25/Neptune T-10-5/8" Bodies	100.00	EA	\$66.96000	\$6,696.00	\$77.95000	\$7,795.00		\$0.00
Group 1: Repair parts for Badger Meter Model 35/Neptune T-10-3/4" Chamber	200.00	EA	\$38.92000	\$7,784.00	\$19.95000	\$3,990.00		\$0.00
Group 1: Repair parts for Badger Meter Model 35/Neptune T-10-3/4" Bottoms	50.00	EA	\$10.30000	\$515.00	\$7.95000	\$397.50		\$0.00
Group 1: Repair parts for Badger Meter Model 35/Neptune T-10-3/4" Bodies	25.00	EA	\$103.00000	\$2,575.00	\$109.95000	\$2,748.75		\$0.00
Group 1: Repair parts for Badger Meter/Neptune T-10-1" Chambers	350.00	EA	\$90.00000	\$31,500.00	\$37.95000	\$13,282.50		\$0.00
Group 1: Repair parts for Badger Meter/Neptune T-10-1" Bottoms	100.00	EA	\$20.60000	\$2,060.00	\$12.95000	\$1,295.00		\$0.00
Group 1: Repair parts for Badger Meter/Neptune T-10-1" Bodies	75.00	EA	\$115.90000	\$8,692.50	\$159.95000	\$11,996.25		\$0.00
Group 1: Repair parts for Badger Meter Model 25/Neptune T-10-5/8" HRE Electronic Registers, with ITRON connector cable	100.00	EA	\$65.00000	\$6,500.00	\$91.95000	\$9,195.00		\$0.00
Group 1: Repair parts for Badger Meter Model 35/Neptune T-10-3/4" HRE Electronic Registers, with ITRON connector cable	100.00	EA	\$65.00000	\$6,500.00	\$91.95000	\$9,195.00		\$0.00
Group 1: Repair parts for Badger Meter Model 70/Neptune T-10-1" HRE Electronic Registers, with ITRON connector cable	100.00	EA	\$65.00000	\$6,500.00	\$91.95000	\$9,195.00		\$0.00
	Group 1 SubTotal		\$1,411.28000	\$463,234.50	\$1,411.15000	\$461,837.50		
Group 2								
Description	Quantity	Unit	Unit Price	Sub Total	Unit Price	Sub Total	Unit Price	Sub Total

Group 2: 2" Cold Water Meters, turbine type with 25 foot Iron connection wire as per specifications	400.00	EA	\$831.00000	\$332,400.00	\$965.00000	\$366,000.00		\$0.00
Group 2: 3" Cold Water Meters, turbine type with 25 foot Iron connection wire as per specifications	25.00	EA	\$1,049.00000	\$26,225.00	\$1,235.00000	\$30,875.00		\$0.00
Group 2: 4" Cold Water Meters, turbine type with 25 foot Iron connection wire as per specifications	10.00	EA	\$1,528.00000	\$15,280.00	\$1,395.00000	\$13,950.00		\$0.00
Group 2: 6" Cold Water Meters, turbine type with 25 foot Iron connection wire as per specifications	5.00	EA	\$2,812.00000	\$14,060.00	\$2,575.00000	\$12,875.00		\$0.00
Group 2: 8" Cold Water Meters, turbine type with 25 foot Iron connection wire as per specifications	5.00	EA	\$3,234.00000	\$16,170.00	\$3,795.00000	\$18,975.00		\$0.00
Group 2: 12" Cold Water Meters, turbine type with 25 foot Iron connection wire as per specifications	5.00	EA	\$4,731.00000	\$23,655.00		\$0.00		\$0.00
Group 2: 2" Cold Water Meter Head Assembly as per specifications	25.00	EA	\$591.00000	\$14,775.00	\$525.00000	\$13,125.00		\$0.00
Group 2: 3" Cold Water Meter Head Assembly as per specifications	10.00	EA	\$682.00000	\$6,820.00	\$789.00000	\$7,890.00		\$0.00
Group 2: 4" Cold Water Meter Head Assembly as per specifications	10.00	EA	\$700.00000	\$7,000.00	\$1,050.00000	\$10,500.00		\$0.00
Group 2: 6" Cold Water Meter Head Assembly as per specifications	10.00	EA	\$1,898.00000	\$18,980.00	\$1,575.00000	\$15,750.00		\$0.00
Group 2: 8" Cold Water Meter Head Assembly as per specifications	10.00	EA	\$2,162.00000	\$21,620.00	\$2,100.00000	\$21,000.00		\$0.00
Group 2: 12" Cold Water Meter Head Assembly as per specifications	10.00	EA	\$2,607.00000	\$26,070.00		\$0.00		\$0.00
Group 2: 2" Badger Meter Housing (LL) with elliptical flanges as per specifications	5.00	EA	\$700.00000	\$3,500.00		\$0.00		\$0.00
Group 2: 3" Badger Meter Housing (LL) with elliptical flanges as per specifications	3.00	EA	\$1,287.00000	\$3,861.00		\$0.00		\$0.00
Group 2: 4" Badger Meter Housing (LL) with elliptical flanges as per specifications	3.00	EA	\$1,674.00000	\$5,022.00		\$0.00		\$0.00
Group 2: 6" Badger Meter Housing (LL) with elliptical flanges as per specifications	3.00	EA	\$2,510.00000	\$7,530.00		\$0.00		\$0.00
Group 2: 8" Badger Meter Housing (LL) with elliptical flanges as per specifications	3.00	EA	\$4,350.00000	\$13,050.00		\$0.00		\$0.00
Group 2: 12" Badger Meter Housing (LL) with elliptical flanges as per specifications	3.00	EA	\$5,035.00000	\$15,105.00		\$0.00		\$0.00
	Group 2 SubTotal		\$38,381.00000	\$571,123.00	\$16,004.00000	\$530,940.00		
Group 3								
Description	Quantity	Unit	Unit Price	Sub Total	Unit Price	Sub Total	Unit Price	Sub Total
Group 3: 2" Cold Water Meters, ultrasonic type with 25 foot Iron connection wire as per specifications	200.00	EA		\$0.00	\$699.00000	\$139,800.00	\$1,200.00000	\$240,000.00
Group 3: 3" Cold Water Meters, ultrasonic type with 25 foot Iron connection wire as per specifications	25.00	EA		\$0.00	\$2,100.00000	\$52,500.00	\$1,790.00000	\$44,750.00
Group 3: 4" Cold Water Meters, ultrasonic type with 25 foot Iron connection wire as per specifications	10.00	EA		\$0.00	\$2,695.00000	\$26,950.00	\$2,423.00000	\$24,230.00
Group 3: 6" Cold Water Meters, ultrasonic type with 25 foot Iron connection wire as per specifications	5.00	EA		\$0.00	\$4,549.00000	\$22,745.00	\$3,916.00000	\$19,580.00
Group 3: 8" Cold Water Meters, ultrasonic type with 25 foot Iron connection wire as per specifications	5.00	EA		\$0.00	\$7,249.00000	\$36,245.00	\$4,650.00000	\$23,250.00
Group 3: 12" Cold Water Meters, ultrasonic type with 25 foot Iron connection wire as per specifications	5.00	EA		\$0.00	\$10,500.00000	\$52,500.00	\$10,573.00000	\$52,865.00
	Group 3 SubTotal				\$27,792.00000	\$330,740.00	\$24,552.00000	\$404,675.00
Group 4								

Description	Quantity	Unit	Unit Price	Sub Total	Unit Price	Sub Total	Unit Price	Sub Total
Group 4: Badger Model 170/Neptune T-10: 2" Cold Water Meters, positive displacement type with 25 foot Iron connection wire as per specifications	200.00	EA	\$492.69000	\$98,538.00	\$714.00000	\$142,800.00		\$0.00
Group 4: Badger Model 170/Neptune T-10: 2" Cold Water Meters Chamber Assembly as per specifications	25.00	EA	\$266.56000	\$6,664.00	\$99.00000	\$2,475.00		\$0.00
Group 4: Badger Model 170/Neptune T-10: 2" Cold Water Meters Housing with elliptical flanges as per specification	25.00	EA	\$476.46000	\$11,911.50	\$681.00000	\$17,025.00		\$0.00
Group 4 SubTotal			\$1,235.71000	\$117,113.50	\$1,494.00000	\$162,300.00		
Grand Total			\$41,027.99000	\$1,151,471.00	\$46,701.15000	\$1,485,817.50	\$24,552.00000	\$404,675.00

Redirect 02/28/2023 Group 3 Public Works & Utilities Department/Water Distribution Division, Master Meter

February 27, 2023

Purchases Utilizing No Bids Received

Ordinance No. 2.64 Section 2.64.020

SUBJECT: 2023 Chevrolet Tahoe for Police Department

FOR A TOTAL OF \$59,899.00

Department: Wichita Police Department

Vendor	Reference Authority	Cost
Parks Chevrolet of Augusta	Ordinance No. 2.64 Section 2.64.020	\$59,899.00

PETITION FOR PUBLIC IMPROVEMENTS

TO: Robert Layton, City Manager

DATE: February 28, 2023

Public Works & Utilities Department/Engineering Division

The signatures on all the petitions represents 100% of the improvement district and the petitions are valid per Kansas Statute 12-6a01.

NEW AND REVISED PETITIONS FOR PUBLIC IMPROVEMENTS – GARY JANZEN, CITY ENGINEER

Lionsgate Addition (south of Pawnee, east of 135th Street West) (District IV). The project will provide water, sewer and paving improvements required for a new residential development.

NEW PETITION

Water Improvements:	<u>Budget</u>
448-2023-004197	\$223,000

Sanitary Sewer Improvements:	<u>Budget</u>
468-2023-004198	\$256,000

Paving Improvements:	<u>Budget</u>
472-2023-085887	\$765,000

Fossil Rim Commercial Addition (south of 29th Street North, east of Tyler Road) (District V). The project will provide sewer improvements required for a lot split in an existing commercial development.

NEW PETITION

Sanitary Sewer Improvements:	<u>Budget</u>
468-2023-004983	\$37,000

Meadowland Addition (south of Douglas, east of 127th Street East) (District II). The project will provide sewer improvements required for a new residential development.

NEW PETITION

Sanitary Sewer Improvements:	<u>Budget</u>
468-2023-004200	\$33,000

Casa Bella 2nd Addition Phase 8 (north of Pawnee, west of 12th Street East) (District II). On November 1, 2022, the City Council approved paving improvements to serve Casa Bella 2nd Addition. The developer has submitted a revised petition with a revised budget to meet current market conditions.

REVISED PETITION

Paving Improvements:	<u>Original Budget</u>	<u>Adjusted Budget</u>	<u>Revised Budget</u>
472-2022-085829 Phase 8	\$715,000	(\$130,000)	\$585,000

It is recommended that the City Council approve the new and revised petitions and budgets, adopt the new and amending resolutions, and authorize the necessary signatures.

Gary Janzen, P.E.
City Engineer

PETITION
WATER DISTRIBUTION IMPROVEMENTS – LIONSGATE, WICHITA, KANSAS

TO: The Mayor and City Council (the “Governing Body”)
 City of Wichita, Kansas

1. The undersigned, being a majority of the resident owners of record of the property liable for assessment set forth below for the proposed improvements of the City of Wichita, Kansas (the “City”), do hereby request that said improvements be made in the manner provided by K.S.A. 12-6a01 *et seq.* (the “Act”).

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of a water distribution system, including necessary water mains, pipes, valves, hydrants, and appurtenances to serve the Improvement District defined below

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer

(b) The estimated or probable cost of the proposed Improvements are \$223,000 (Two Hundred Twenty-Three Thousand Dollars), the acquisition costs of improvements already owned by the City and previously financed by the issuance of revenue bonds are \$16,500 (Sixteen Thousand Five Hundred Dollars), for a total of \$239,500 (Two Hundred Thirty-Nine Thousand Five Hundred Dollars), exclusive of interest on financing and administrative and financing costs; said estimated amount, excluding acquisition costs for such previously owned improvements, to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

Lionsgate
Lots 1-7, Block 1
Lots 1-18, Block 2
Lots 1-15, Block 3

to the City of Wichita, Sedgwick County, Kansas.

(d) The proposed method of assessment is equally per lot (40 lots)

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by, the City of Wichita.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

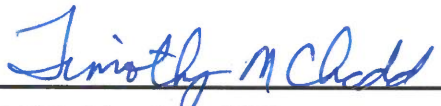
(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City’s Special Assessment Deferral Program.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. If the Improvements are: (i) abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of this Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of this Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

4. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

5. The Governing Body is further requested to proceed with adoption of a resolution authorizing the Improvements and establishing the Improvement District in accordance with the Act and the construction of the Improvements in an expeditious manner.

Signature	Dated	Property Owned Within Proposed Improvement District
 NAPA Adventures, LLC Timothy M. Chadd, Member	1/31/23	<u>Lionsgate</u> Lots 1-7, Block 1 Lots 1-18, Block 2 Lots 1-15, Block 3

THIS PETITION was filed in my office on 2/2/23; and was examined, considered and found sufficient by the Governing Body on _____.





City Clerk

**PETITION
SANITARY SEWER IMPROVEMENTS – LIONSGATE, WICHITA, KANSAS**

TO: The Mayor and City Council (the “Governing Body”)
City of Wichita, Kansas

1. The undersigned, being a majority of the resident owners of record of the property liable for assessment set forth below for the proposed improvements of the City of Wichita, Kansas (the “City”), do hereby request that said improvements be made in the manner provided by K.S.A. 12-6a01 *et seq.* (the “Act”).

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of a lateral sanitary sewer, including necessary sewer mains and appurtenances to serve the Improvement District defined below.

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer

(b) The estimated or probable cost of the proposed Improvements are \$256,000 (Two Hundred Fifty-Six Thousand Dollars), the acquisition costs of improvements already owned by the City and previously financed by the issuance of revenue bonds are \$36,700 (Thirty-Six Thousand Seven Hundred Dollars), for a total of \$292,700 (Two Hundred Ninety-Two Thousand Seven Hundred Dollars), exclusive of interest on financing and administrative and financing costs; said estimated amount, excluding acquisition costs for such previously owned improvements, to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

**Lionsgate
Lots 1-7, Block 1
Lots 1-18, Block 2
Lots 1-15, Block 3**

to the City of Wichita, Sedgwick County, Kansas.

(d) The proposed method of assessment is equally per lot (40 lots)

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by, the City of Wichita.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

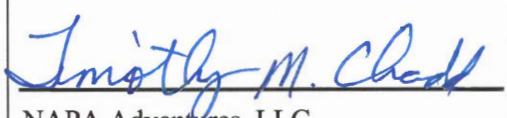
(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City’s Special Assessment Deferral Program.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. If the Improvements are: (i) abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of this Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of this Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

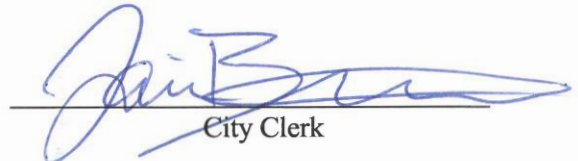
4. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

5. The Governing Body is further requested to proceed with adoption of a resolution authorizing the Improvements and establishing the Improvement District in accordance with the Act and the construction of the Improvements in an expeditious manner.

Signature	Dated	Property Owned Within Proposed Improvement District
 NAPA Adventures, LLC Timothy M. Chadd, Member	1/31/23	Lionsgate Lots 1-7, Block 1 Lots 1-18, Block 2 Lots 1-15, Block 3

THIS PETITION was filed in my office on 2/2/23; and was examined, considered and found sufficient by the Governing Body on _____.




City Clerk

PETITION
PAVING AND DRAINAGE IMPROVEMENTS – LIONSGATE, WICHITA, KANSAS

TO: The Mayor and City Council (the “Governing Body”)
 City of Wichita, Kansas

1. The undersigned, being a majority of the resident owners of record of the property liable for assessment set forth below for the proposed improvements of the City of Wichita, Kansas (the “City”), do hereby request that said improvements be made in the manner provided by K.S.A. 12-6a01 *et seq.* (the “Act”).

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of pavement on **WHEATLAND STREET** from Red Rock Street to the south line of Pawnee; **RED ROCK STREET** from the west line of Lionsgate Addition to Wheatland Street; **WHEATLAND COURT** from the west line of Wheatland Street to and including cul-de-sac; **COWBOY STREET** from the west line of Lionsgate Addition to the west line of Wheatland Street, with drainage to be installed where necessary.

Construction of sidewalk to be installed on the north side of Red Rock Street from the west line of Lionsgate Addition to Wheatland Street; the west side of Wheatland Street from Red Rock Street to the north line of Lionsgate Addition and on the north side of Cowboy Street from the west line of Lionsgate Addition to the west side of Wheatland Street.

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer

(b) The estimated or probable cost of the proposed Improvements are Seven Hundred Sixty-Five Thousand Dollars (\$765,000), exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

Lionsgate
Lots 1-7, Block 1
Lots 1-18, Block 2
Lots 1-15, Block 3

to the City of Wichita, Sedgwick County, Kansas.

(d) The proposed method of assessment is equally per lot (40 lots)

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by, the City of Wichita.

In the event that the driveway approaches and curb cuts are not included within the scope of the Improvements and the estimated cost thereof as set forth in subsection (b) above, the costs of such driveway

approaches and curb cuts so constructed shall be directly assessed to the property benefitted thereby in addition to the assessments levied for the Improvements.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.


(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. If the Improvements are: (i) abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of this Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of this Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

4. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

5. The Governing Body is further requested to proceed with adoption of a resolution authorizing the Improvements and establishing the Improvement District in accordance with the Act and the construction of the Improvements in an expeditious manner.

Signature	Dated	Property Owned Within Proposed Improvement District
 NAPA Adventures, LLC Timothy M. Chadd, Member	1/31/23	<u>Lionsgate</u> Lots 1-7, Block 1 Lots 1-18, Block 2 Lots 1-15, Block 3

THIS PETITION was filed in my office on 2/2/23; and was examined, considered and found sufficient by the Governing Body on _____.




City Clerk

468-2023-004983

**PETITION
SANITARY SEWER IMPROVEMENTS - FOSSIL RIM COMMERCIAL ADDITION
WICHITA, SEDGWICK COUNTY, KANSAS**

TO: The Mayor and City Council (the "Governing Body")
City of Wichita, Kansas

1. The undersigned, the owners of record of more than one-half of the area liable for assessment set forth below for the proposed improvements of the City of Wichita, Kansas (the "City"), do hereby request that said improvements be made in the manner provided by K.S.A. 12-6a01 *et seq.* (the "Act").

Construction of a lateral sanitary sewer, including necessary sewer mains and appurtenances to serve the Improvement District defined below.

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the proposed Improvements are \$37,000.00, for a total of \$37,000.00, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the "Improvement District") to be assessed for the costs of the proposed Improvements is:

FOSSIL RIM COMMERCIAL ADDITION

See *Exhibit A* attached hereto

to the City of Wichita, Sedgwick County, Kansas.

(d) The proposed method of assessment is: equally per parcel (1 parcel).

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by, the City of Wichita.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. If the Improvements are: (i) abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of this Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of this Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

4. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

5. The Governing Body is further requested to proceed with adoption of a resolution authorizing the Improvements and establishing the Improvement District in accordance with the Act and the construction of the Improvements in an expeditious manner.

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Signature	Dated	Property Owned Within Proposed Improvement District
Hawkins Marital Trust, Las Vegas, NV under Trust Agreement dated July 14, 2008, as amended By: <u>Craig Kreker</u> Craig Kreker, Co-Trustee	<u>02/06/23</u>	FOSSIL RIM COMMERCIAL ADDITION Parcel A (see attached <i>EXHIBIT A</i>)

THIS PETITION was filed in my office on 2/13/23; and was examined, considered and found sufficient by the Governing Body on _____.



S. B. O.
Deputy City Clerk

EXHIBIT A

PARCEL A:

A tract of land lying within the north 125.00 feet of Lot 4, Block A, Fossil Rim Commercial, Wichita, Sedgwick County, Kansas as prepared by Baughman Company, P.A., State of Kansas, County of Sedgwick, more particularly described as beginning at the northeast corner of Lot 4, Block A in said Fossil Rim Commercial; thence S00°00'26"E coincident with the east line of said Lot 4, 125.02 feet to a point 125.00 feet normally distant south of the north line of said Lot 4; thence S89°03'18"W parallel with the north line of said Lot 4, 113.95 feet; thence S80°30'47"W parallel with the north line of said Lot 4, 101.13 feet; thence S89°02'31"W parallel with the north line of said Lot 4, 46.28 feet to a point in the west line of said Lot 4 and to a point 125.00 feet normally distant south of the north line of said Lot 4; thence N00°00'00"W coincident with the west line of said Lot 4, 125.02 feet to the northwest corner of said Lot 4; thence N89°02'31"E coincident with the north line of said Lot 4, 34.87 feet to a deflection point in the north line of said Lot 4; thence N80°30'47"E coincident with the north line of said Lot 4, 101.15 feet to a deflection point in the north line of said Lot 4; thence N89°03'18"E coincident with the north line of said Lot 4, 125.33 feet to the point of beginning.

468-2023-004200

PETITION
SANITARY SEWER IMPROVEMENTS - MEADOWLAND ADDITION,
SEDGWICK COUNTY, KANSAS

TO: The Mayor and City Council (the "Governing Body")
 City of Wichita, Kansas

1. The undersigned, being the owners of record of more than one-half of the area liable for assessment set forth below for the proposed improvements of the City of Wichita, Kansas (the "City"), do hereby request that said improvements be made in the manner provided by K.S.A. 12-6a01 *et seq.* (the "Act").

(a) The improvements proposed to be made are as follows (the "Improvements"):

Construction of a lateral sanitary sewer, including necessary sewer mains and appurtenances to serve the Improvement District defined below.

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the proposed Improvements are \$33,000.00, the acquisition costs of improvements already owned by the City and previously financed by the issuance of revenue bonds are \$25,132.00, for a total of \$58,132.00, exclusive of interest on financing and administrative and financing costs; said estimated amount, excluding acquisition costs for such previously owned improvements, to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the "Improvement District") to be assessed for the costs of the proposed Improvements is:

MEADOWLAND ADDITION
PARCEL A (See *Exhibit A* attached hereto)

to the City of Wichita, Sedgwick County, Kansas.

(d) The proposed method of assessment is: equally per lot (1 lot).

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by, the City of Wichita.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.



2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. If the Improvements are: (i) abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of this Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of this Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

4. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

5. The Governing Body is further requested to proceed with adoption of a resolution authorizing the Improvements and establishing the Improvement District in accordance with the Act and the construction of the Improvements in an expeditious manner.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Signature	Dated	Property Owned Within Proposed Improvement District
<p>The Ronald M. Watkins Revocable Living Trust dated December 21, 2010</p> <p>By: <u></u> Ronald M. Watkins, Trustee</p>	<p><u>1/31/23</u></p>	<p><u>Meadowland Addition</u> PARCEL A (See attached <i>Exhibit A</i>)</p>
<p>The Melissa R. Watkins Revocable Living Trust dated December 21, 2010</p> <p>By: <u></u> Melissa R. Watkins, Trustee</p>	<p><u>1/31/23</u></p>	

THIS PETITION was filed in my office on 2/7/2023; and was examined, considered and found sufficient by the Governing Body on _____.




Deputy, City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF IMPROVEMENT DISTRICT

Parcel A:

Lot 1, Block E, Meadowland Addition, Sedgwick County, Kansas, EXCEPT That part of said Lot 1 being more particularly described as follows: Beginning at the southwest corner of said Lot 1, said point being at the intersection of the easterly right of way line of 127th Street and the northerly right of way line of Interstate no. 35, as both previously established; thence N00°52'27"W along said easterly right of way line, a distance of 113.81 feet; thence N89°07'33"E, a distance of 95.33 feet to a point on said northerly right of way line, said point being on a non-tangent curve to the left; thence along said curve to the left having a chord bearing of S39°04'40"W, a radius of 7789.44 feet for an arc distance of 148.46 feet to the point of beginning, and EXCEPT That part of Lot 1, Block E, Meadowland Addition, Sedgwick County, Kansas, described as Commencing at the northwest corner of Lot 1; thence S79°25'38"E, coincident with the north line of said Lot 1, 305.62 feet for a point of beginning; thence continuing S79°25'38"E, coincident with the north line of said Lot 1, 584.54 feet to the northeast corner of said Lot 1; thence S02°05'12"W, coincident with the east line of said Lot 1, 95.05 feet to the southeast corner of said Lot 1; thence southwesterly coincident with the south line of said Lot 1, being a curve to the left, through a central angle of 2°18'29", a radius of 7789.44 feet, an arc distance of 313.78 feet (having a chord length of 313.75 feet bearing S46°36'08"W); thence N22°27'13"W, 56.45 feet; thence N40°59'25"E, 20.44 feet; thence N37°42'24"W, 98.01 feet; thence S72°08'02"W, 59.77 feet; thence S37°53'15"W 72.70 feet; thence N31°38'24"W 77.22' feet; thence N46°18'12"E 7.98 feet; thence S61°31'20"E, 45.40 feet; thence N34°41'44"E, 99.61 feet; thence N24°27'38"W, 51.97 feet; thence S87°49'46"W 78.12 feet; thence S16°11'42"W, 57.75 feet; thence N66°59'10"W 54.84 feet; thence N30°54'13"W, 86.69; thence N00°04'08"E, 94.79 feet; thence N33°37'20"W 44.88 to the point of beginning.

PETITION 472-2022-085829
PAVING IMPROVEMENTS – CASA BELLA 2ND ADDITION – PHASE 8

TO: The Mayor and City Council (the “Governing Body”)
City of Wichita, Kansas

1. The undersigned, being the owners of record of more than one-half of the area liable for assessment set forth below for the proposed improvements of the City of Wichita, Kansas (the “City”), do hereby request that said improvements be made in the manner provided by K.S.A. 12-6a01 *et seq.* (the “Act”).

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of pavement on **TARA FALLS STREET** from the north side of Bonita Street to the north line of Casa Bella 2nd Addition; **TARA FALLS COURT** from the west line of Tara Falls Street to and including cul-de-sac; **CLARK STREET** from the north line of Tara Falls Street to the northeasterly lot line of Lot 3 Block 7 with drainage to be installed where necessary.

Construction of sidewalk on **TARA FALLS STREET** from the north side of Bonita Street to the north line of Casa Bella 2nd Addition.

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer

(b) The estimated or probable cost of the proposed Improvements are \$585,000 (Five Hundred Eighty- Five Thousand Dollars), exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

Casa Bella 2nd Addition
Lots 1, 17-23, Block 5
Lots 1-3, Block 7
Lots 23-41, Block 8

to the City of Wichita, Sedgwick County, Kansas.

(d) The proposed method of assessment is: equally per lot (30 lots)

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by, the City of Wichita.

In the event that the driveway approaches and curb cuts are not included within the scope of the Improvements and the estimated cost thereof as set forth in subsection (b) above, the costs of such driveway approaches and curb cuts so constructed shall be directly assessed to the property benefitted thereby in addition to the assessments levied for the Improvements

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.


(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. If the Improvements are: (i) abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of this Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of this Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.


4. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

5. The Governing Body is further requested to proceed with adoption of a resolution authorizing the Improvements and establishing the Improvement District in accordance with the Act and the construction of the Improvements in an expeditious manner.

Signature	Dated	Property Owned Within Proposed Improvement District
 Tara Developers Inc Eugene Vitarelli, President	12/21/2022	<u>Casa Bella 2nd Addition</u> Lots 1, 17-23, Block 5 Lots 1-3, Block 7 Lots 23-41, Block 8

THIS PETITION was filed in my office on 2/7/2023; and was examined, considered and found sufficient by the Governing Body on _____.




Deputy City Clerk

(Published in the *Wichita Eagle*, on March 3, 2023)

RESOLUTION NO. 23-089

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION IMPROVEMENTS – LIONSGATE ADDITION) (448-2023-004197).

WHEREAS, a petition (the “Petition”) was filed with the City Clerk of the City of Wichita, Kansas (the “City”) proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the “Act”); and

WHEREAS, the City Council (the “Governing Body”) of the City hereby finds and determines that said Petition was signed by **the majority of the resident owners of record of the property** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 1. Findings of Advisability. The Governing Body hereby finds and determines that:

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of a water distribution system, including necessary water mains, pipes, valves, hydrants, and appurtenances to serve the Improvement District defined below.

(b) The estimated or probable cost of the proposed Improvements are **\$223,000.00 (Two Hundred Twenty-Three Thousand Dollars)**, the acquisition costs of improvements already owned by the City and previously financed by the issuance of revenue bonds are **\$16,500.00 (Sixteen Thousand Five Hundred Dollars)** for a total of **\$239,500.00 (Two Hundred Thirty-Nine Thousand Five Hundred Dollars)**, exclusive of interest on financing and administrative and financing costs; said estimated amount, excluding acquisition costs for such previously owned improvements, to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

Lionsgate
Lots 1-7, Block 1
Lots 1-18, Block 2
Lots 1-15, Block 3

to the City of Wichita, Sedgwick County, Kansas.

- (d) The proposed method of assessment is **equally per lot (40 lots)**.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by, the City of Wichita.

- (e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

- (f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in **Section 1** of this Resolution.

Section 3. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 4. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on February 28, 2023.

(SEAL)

Brandon J. Whipple, Mayor

ATTEST:

Jamie Buster, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney and Director of Law

(Published in the *Wichita Eagle*, on March 3, 2023)

RESOLUTION NO. 23-090

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS – LIONSGATE ADDITION) (468-2023-004198).

WHEREAS, a petition (the “Petition”) was filed with the City Clerk of the City of Wichita, Kansas (the “City”) proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the “Act”); and

WHEREAS, the City Council (the “Governing Body”) of the City hereby finds and determines that said Petition was signed by **the majority of the resident owners of record of the property** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 1. Findings of Advisability. The Governing Body hereby finds and determines that:

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of a lateral sanitary sewer, including necessary sewer mains and appurtenances to serve the Improvement District defined below.

(b) The estimated or probable cost of the proposed Improvements are **\$256,000.00 (Two Hundred Fifty-Six Thousand Dollars)**, the acquisition costs of improvements already owned by the City and previously financed by the issuance of revenue bonds are **\$36,700.00 (Thirty-Six Thousand Seven Hundred Dollars)** for a total of **\$292,700.00 (Two Hundred Ninety-Two Thousand Seven Hundred Dollars)**, exclusive of interest on financing and administrative and financing costs; said estimated amount, excluding acquisition costs for such previously owned improvements, to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

**Lionsgate
Lots 1-7, Block 1
Lots 1-18, Block 2
Lots 1-15, Block 3**

to the City of Wichita, Sedgwick County, Kansas.

- (d) The proposed method of assessment is **equally per lot (40 lots)**.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by, the City of Wichita.

- (e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

- (f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in **Section 1** of this Resolution.

Section 3. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 4. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on February 28, 2023.

(SEAL)

Brandon J. Whipple, Mayor

ATTEST:

Jamie Buster, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney and Director of Law

(Published in the *Wichita Eagle*, on March 3, 2023)

RESOLUTION NO. 23-091

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING AND DRAINAGE IMPROVEMENTS – LIONSGATE ADDITION) (472-2023-085887).

WHEREAS, a petition (the “Petition”) was filed with the City Clerk of the City of Wichita, Kansas (the “City”) proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the “Act”); and

WHEREAS, the City Council (the “Governing Body”) of the City hereby finds and determines that said Petition was signed by **the majority of the resident owners of record of the property** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 1. Findings of Advisability. The Governing Body hereby finds and determines that:

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of pavement on WHEATLAND STREET from Red Rock Street to the south line of Pawnee; RED ROCK STREET from the west line of Lionsgate Addition to Wheatland Street; WHEATLAND COURT from the west line of Wheatland Street to and including cul-de-sac; COWBOY STREET from the west line of Lionsgate Addition to the west line of Wheatland Street, with drainage to be installed where necessary.

Construction of sidewalk to be installed on the north side of Red Rock Street from the west line of Lionsgate Addition to Wheatland Street; the west side of Wheatland Street from Red Rock Street to the north line of Lionsgate Addition and on the north side of Cowboy Street from the west line of Lionsgate Addition to the west side of Wheatland Street.

(b) The estimated or probable cost of the proposed Improvements are **\$765,000.00 (Seven Hundred Sixty-Five Thousand Dollars)**, exclusive of interest on financing and administrative and financing costs; said estimated amount, excluding acquisition costs for such previously owned improvements, to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

Lionsgate
Lots 1-7, Block 1
Lots 1-18, Block 2
Lots 1-15, Block 3

to the City of Wichita, Sedgwick County, Kansas.

- (d) The proposed method of assessment is **equally per lot (40 lots)**.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by, the City of Wichita.

In the event that the driveway approaches and curb cuts are not included within the scope of the Improvements and the estimated cost thereof as set forth in subsection (b) above, the costs of such driveway approaches and curb cuts so constructed shall be directly assessed to the property benefitted thereby in addition to the assessments levied for the Improvements.

- (e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

- (f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in **Section 1** of this Resolution.

Section 3. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 4. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on February 28, 2023.

(SEAL)

Brandon J. Whipple, Mayor

ATTEST:

Jamie Buster, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney and Director of Law

(Published in the *Wichita Eagle*, on March 3, 2023)

RESOLUTION NO. 23-092

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS – FOSSIL RIM COMMERCIAL ADDITION) (468-2023-004983).

WHEREAS, a petition (the “Petition”) was filed with the City Clerk of the City of Wichita, Kansas (the “City”) proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the “Act”); and

WHEREAS, the City Council (the “Governing Body”) of the City hereby finds and determines that said Petition was signed by **the owners of record of more than one-half of the area** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 1. Findings of Advisability. The Governing Body hereby finds and determines that:

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of a lateral sanitary sewer, including necessary sewer mains and appurtenances to serve the Improvement District defined below.

(b) The estimated or probable cost of the proposed Improvements are **\$37,000.00**, for a total of **\$37,000.00**, exclusive of interest on financing and administrative and financing costs; said estimated amount, excluding acquisition costs for such previously owned improvements, to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

FOSSIL RIM COMMERCIAL ADDITION

See Exhibit A attached hereto

to the City of Wichita, Sedgwick County, Kansas.

(d) The proposed method of assessment is **equally per parcel (1 parcel)**.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by, the City of Wichita.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in **Section 1** of this Resolution.

Section 3. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 4. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on February 28, 2023.

(SEAL)

Brandon J. Whipple, Mayor

ATTEST:

Jamie Buster, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney and Director of Law

EXHIBIT A

PARCEL A:

A tract of land lying within the north 125.00 feet of Lot 4, Block A, Fossil Rim Commercial, Wichita, Sedgwick County, Kansas as prepared by Baughman Company, P.A., State of Kansas, County of Sedgwick, more particularly described as beginning at the northeast corner of Lot 4, Block A in said Fossil Rim Commercial; thence $S00^{\circ}00'26''E$ coincident with the east line of said Lot 4, 125.02 feet to a point 125.00 feet normally distant south of the north line of said Lot 4; thence $S89^{\circ}03'18''W$ parallel with the north line of said Lot 4, 113.95 feet; thence $S80^{\circ}30'47''W$ parallel with the north line of said Lot 4, 101.13 feet; thence $S89^{\circ}02'31''W$ parallel with the north line of said Lot 4, 46.28 feet to a point in the west line of said Lot 4 and to a point 125.00 feet normally distant south of the north line of said Lot 4; thence $N00^{\circ}00'00''W$ coincident with the west line of said Lot 4, 125.02 feet to the northwest corner of said Lot 4; thence $N89^{\circ}02'31''E$ coincident with the north line of said Lot 4, 34.87 feet to a deflection point in the north line of said Lot 4; thence $N80^{\circ}30'47''E$ coincident with the north line of said Lot 4, 101.15 feet to a deflection point in the north line of said Lot 4; thence $N89^{\circ}03'18''E$ coincident with the north line of said Lot 4, 125.33 feet to the point of beginning.

(Published in the *Wichita Eagle*, on March 3, 2023)

RESOLUTION NO. 23-093

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS – MEADOWLAND ADDITION) (468-2023-004200).

WHEREAS, a petition (the "Petition") was filed with the City Clerk of the City of Wichita, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the City Council (the "Governing Body") of the City hereby finds and determines that said Petition was signed by **the owners of record of more than one-half of the area** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 1. Findings of Advisability. The Governing Body hereby finds and determines that:

(a) The improvements proposed to be made are as follows (the "Improvements"):

Construction of a lateral sanitary sewer, including necessary sewer mains and appurtenances to serve the Improvement District defined below.

(b) The estimated or probable cost of the proposed Improvements are **\$33,000.00**, the acquisition costs of improvements already owned by the City and previously financed by the issuance of revenue bonds are **\$25,132.00** for a total of **\$58,132.00**, exclusive of interest on financing and administrative and financing costs; said estimated amount, excluding acquisition costs for such previously owned improvements, to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the "Improvement District") to be assessed for the costs of the proposed Improvements is:

MEADOWLAND ADDITION
PARCEL A (See *Exhibit A* attached hereto)

to the City of Wichita, Sedgwick County, Kansas.

(d) The proposed method of assessment is: **equally per lot (1 lot).**

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by, the City of Wichita.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in **Section 1** of this Resolution.

Section 3. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 4. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on February 28, 2023.

(SEAL)

Brandon J. Whipple, Mayor

ATTEST:

Jamie Buster, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney and Director of Law

LEGAL DESCRIPTION OF IMPROVEMENT DISTRICT

Parcel A:

Lot 1, Block E, Meadowland Addition, Sedgwick County, Kansas, EXCEPT That part of said Lot 1 being more particularly described as follows: Beginning at the southwest corner of said Lot 1, said point being at the intersection of the easterly right of way line of 127th Street and the northerly right of way line of Interstate no. 35, as both previously established; thence N00°52'27"W along said easterly right of way line, a distance of 113.81 feet; thence N89°07'33"E, a distance of 95.33 feet to a point on said northerly right of way line, said point being on a non-tangent curve to the left; thence along said curve to the left having a chord bearing of S39°04'40"W, a radius of 7789.44 feet for an arc distance of 148.46 feet to the point of beginning, and EXCEPT That part of Lot 1, Block E, Meadowland Addition, Sedgwick County, Kansas, described as Commencing at the northwest corner of Lot 1; thence S79°25'38"E, coincident with the north line of said Lot 1, 305.62 feet for a point of beginning; thence continuing S79°25'38"E, coincident with the north line of said Lot 1, 584.54 feet to the northeast corner of said Lot 1; thence S02°05'12"W, coincident with the east line of said Lot 1, 95.05 feet to the southeast corner of said Lot 1; thence southwesterly coincident with the south line of said Lot 1, being a curve to the left, through a central angle of 2°18'29", a radius of 7789.44 feet, an arc distance of 313.78 feet (having a chord length of 313.75 feet bearing S46°36'08"W); thence N22°27'13"W, 56.45 feet; thence N40°59'25"E, 20.44 feet; thence N37°42'24"W, 98.01 feet; thence S72°08'02"W, 59.77 feet; thence S37°53'15"W 72.70 feet; thence N31°38'24"W 77.22 feet; thence N46°18'12"E 7.98 feet; thence S61°31'20"E, 45.40 feet; thence N34°41'44"E, 99.61 feet; thence N24°27'38"W, 51.97 feet; thence S87°49'46"W 78.12 feet; thence S16°11'42"W, 57.75 feet; thence N66°59'10"W 54.84 feet; thence N30°54'13"W, 86.69; thence N00°04'08"E, 94.79 feet; thence N33°37'20"W 44.88 to the point of beginning.

(Published in the *Wichita Eagle*, on March 3, 2023)

RESOLUTION NO. 23-094

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS PHASE 8 – CASA BELLA 2ND ADDITION) (472-2022-085829).

WHEREAS, the City of Wichita, Kansas (the “City”) is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, the City Council of the City (the “Governing Body”) has heretofore by **Resolution No. 22-517** of the City (the “Prior Resolution”) authorized certain internal improvements; and

WHEREAS, the estimated or probable cost of the proposed improvements authorized by the **Prior Resolution has changed;**

WHEREAS, pursuant to the receipt of a new petition (the “Petition”), it is necessary to authorize the improvements requested therein by the adoption of a new resolution of the City and repeal the Prior Resolution; and

WHEREAS, the Petition was filed with the City Clerk proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq* (the “Act”); and

WHEREAS, the Governing Body hereby finds and determines that said Petition was signed by **the owners of record of more than one-half of the area** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 1. Repealer. The Prior Resolution is hereby repealed.

Section 2. Findings of Advisability. The Governing Body hereby finds and determines that:

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of pavement on TARA FALLS STREET from the north side of Bonita Street to the north line of Casa Bella 2nd Addition; TARA FALLS COURT from the west line of Tara Falls Street to and including cul-de-sac; CLARK STREET from the north line of Tara Falls Street to the northeasterly lot line of Lot 3 Block 7 with drainage to be installed where necessary.

Construction of sidewalk on TARA FALLS STREET from the north side of Bonita Street to the north line of Casa Bella 2nd Addition.

(b) The estimated or probable cost of the proposed Improvements are **\$585,000.00 (Five Hundred Eighty-Five Thousand Dollars)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the "Improvement District") to be assessed for the costs of the proposed Improvements is:

Casa Bella 2nd Addition

Lots 1, 17-23, Block 5

Lots 1-3, Block 7

Lots 23-41, Block 8

to the City of Wichita, Sedgwick County, Kansas.

(d) The proposed method of assessment is **equally per lot (30 lots)**

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the reconfigured area shall be recalculated on a square foot basis or per the terms of a respread agreement submitted to, and accepted by, the City of Wichita.

In the event that the driveway approaches and curb cuts are not included within the scope of the Improvements and the estimated cost thereof as set forth in subsection (b) above, the costs of such driveway approaches and curb cuts so constructed shall be directly assessed to the property benefitted thereby in addition to the assessments levied for the Improvements

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

Section 3. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in **Section 2** of this Resolution.

Section 4. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 5. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of adoption of the Prior Resolution, and 60 days before the date of adoption of this Resolution, to the extent of the increased authorization contained herein, all pursuant to Treasury Regulation § 1.150-2.

Section 6. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on February 28, 2023.

(SEAL)

Brandon J. Whipple, Mayor

ATTEST:

Jamie Buster, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney
and Director of Law

CMB'S FOR February 28, 2023

<u>Renew</u>	<u>2023</u>	<u>Consumption Off Premises</u>
Brandy Shope	Quicktrip #315***	1500 S Maize Rd.
Brandy Shope	Quicktrip #316***	14402 E Kellogg St.
Brandy Shope	Quicktrip #373R***	1607 E Lincoln St.
Brandy Shope	Quicktrip #396***	324 S. West Street

** General/Restaurant (need 50% or more gross revenue from sale of food)

*** Retailer (Grocery stores, convenience stores, etc.)

BOARD OF BUILDING CODE STANDARDS AND APPEALS MINUTES

December 5, 2022

Location: Ronald Reagan Building, 271 W. 3rd, 3rd Floor, Room 318

Members: Francisco Banuelos, Randy Coonrod, Brad Doeden, Randy Harder, Miles Millspaugh, Eric Purkey, Russ Redford, Shay White, Gregg Wilhite

Present: Coonrod, Doeden, Harder, Millspaugh, Purkey, Redford, White, Wilhite

Staff Members Present: Chris Labrum, Penny Bohannon, Elaine Hammons, Chris Nordick, Bret Johnston (MABCD); Jeff Van Zandt, (City of Wichita Law Department); Jose Ocadiz (WFD); Brad Crisp (SCFD1)

Chairman Redford called the regular meeting of the Board of Building Code Standards and Appeals to order at 1:00 p.m. on Monday, December 5, 2022, at the Ronald Reagan Building, Metropolitan Area Building and Construction Department, 271 W. 3rd, 3rd Floor, Room 318 – Training Room, Wichita, Kansas.

November 7, 2022, Minutes

Board Member Wilhite made a motion to approve the November 7, 2022, minutes with a correction. Board Member White seconded the motion. The motion carried. (8 – 0)

Public Agenda.

There was no one present to speak on the public agenda.

Chairman Redford asked the Board Members and staff to introduce themselves for any public in attendance.

Condemnations:

New Cases:

There were no new cases for December.

Review Cases:

1. 1343 N. Pennsylvania Ave

There was no one present on behalf of this property.

A one story-frame dwelling about 24 x 36 feet in size, this structure is vacant and open, This structure has missing vinyl siding; and the composition roof is badly worn.

The delinquent taxes were still unpaid, and the premises were not secured.

In agreement with the MABCD staff recommendation, Board Member Harder made a motion to refer the property to the City Council for condemnation, with ten days to begin demolition and ten days to complete the removal of the structure. Board Member Wilhite seconded the motion. The motion carried. (8 – 0)

2. 525 E. Skinner St

There was no one present on behalf of this property.

(Condemnations – 525 E. Skinner con't)

This is a one- and one-half story frame dwelling about 32 x 24 feet in size. Vacant and open, this structure has a shifting and cracking concrete foundation, with missing concrete; rotted and missing vinyl siding; and the metal roof is sagging and badly worn, with holes.

At the November 7, 2022, hearing the motion was approved to allow until the December 5, 2022, meeting for a plan of action to be presented to the Board, while maintaining the property in a clean and secure condition in the interim, or the property would be referred to the City Council for condemnation.

Due to the rapidly deteriorating condition of the structure, Board Member Coonrod amended the previous motion to approve the property for emergency demolition. Board Member Harder seconded the motion. The motion was approved. (8 – 0)

Joshua Wade Requesting a New Class B Contractor's License.

Joshua Wade, previously the Qualified Person for Premier Building Concepts, Inc., (Class B Contractor, expired 2018) requested that the Board allow him to obtain a new Class B Contractor's license as the Qualified Person (New Future Homes, LLC) based on his previous licensure. ICC was unable to verify test results, and there was no documentation of test results in the MABCD files.

Vice Chairman Doeden made a motion grant a new license to Mr. Wade based on previous licensure with MABCD. Board Member Millspaugh seconded the motion. The motion passed. (5 – 3)

MABCD Updates

There were no updates from staff. Vice Chairman Doeden made a motion to convene the first meeting of 2023 on February 6th at 1:00 pm. Board Member Harder seconded the motion, The motion carried. (8 – 0)

Adjournment

With no other business to discuss, the meeting adjourned at 1:15 pm.



Monthly Activity Report January 2023

Service Highlights

LinkedIn Learning is now available for customers to use. LinkedIn Learning is a video-based learning platform offering classes in business, management skills, technology, coding, website design, financial literacy, DEI and hundreds of other topics. A commenter on Reddit said: "Whaaaaat this is amazing. Now I can quit paying \$35 a month. Honestly amazing content on there. This is great!" [Click here to get started!](#)

Twelve new categories were unveiled at midnight on January 1 for the 2023 #ReadICT Reading Challenges. This reading challenge encourages adults to step out of their reading comfort zones and read 12 books from 12 categories in 12 months. Categories this year include "a book about a secret or closed society," "a book with a color in the title," and "a book told from a villain's point of view." A reading log and more information about the challenge is available at www.wichitalibrary.org/readict.

The Evergreen Branch has been designated as a passport acceptance agency. A start date has not been determined, but adding this service will give residents in the North End the opportunity to visit the Evergreen Community Center and Library to apply for their passports. This service is already offered at the Alford Branch and has proven successful. More information at wichitalibrary.org/passports.

Discussions have taken place with Workforce Centers of South Central Kansas to create a partnership for Digital Skills instruction at the Walters Branch. Branch Manager Robyn Belt and Education & Engagement Manager Savannah Ball met with Kaitlyn Downey, Digital Skills Coordinator for Workforce at Walters to show the available space and furnishings of the meeting room for a potential Digital Skills Lab. The lab will be open to anyone on a regular basis, such as weekly or bi-weekly, with a self-paced curriculum that provides a certificate once completed.

Staff is working on preparations to convert the Library's collections from barcode stickers to RFID tags. This new process gives customers and staff a faster and more efficient check in, checkout, and material handling experience. As part of the conversion to RFID, Tech Logic and Digital Services staff hosted a demonstration for staff on the equipment, software, and tags the Library is expected to use. Staff also activated the RFID functionality of the existing self-check machines. All staff were invited to hear about the new technology, test out writing tags, using RFID technology for circulation and records management, and possible next steps for conversion. After the demonstration, staff were asked about the experience and were impressed with Tech logic, the equipment shown, and the quality of the demonstration. Next, staff will have another meeting with Tech Logic to discuss material workflows to determine quantities and style of RFID equipment.

Other News

The most popular book of the year, Prince Harry's *Spare*, was released on January 10th. Even knowing that the title was going to be popular, the demand has been staggering. The Library has purchased the title in print, large print, physical audiobook, e-book, and e-audiobook. The physical items have checked out 47 times and have 173 active holds. The e-materials have checked out 95 times and have 448 active holds.

The Library purchased (leased) 20 copies of the e-book (16 (12 month) copies at \$27.50, 4 (24 month) copies at \$55.00) and 21 copies of the e-audiobook (2 (permanent) copies at \$95.00, 19 (12 month) copies at \$47.50). In all, the library has spent \$1,752.50 on e-copies of *Spare*, and the hold list for both e-book and e-audiobook is still approximately 5-7 months. The Library has spent an additional \$970 for the 39 physical copies of *Spare*, which have a wait list of 2-3 months.

Spare is an excellent example of how much harder it is to meet e-material demand. There are over two times as many holds on the e-materials, which cost nearly twice as much as the physical materials. Additionally, as e-material budgets are still limited (although not as limited as in past years), staff need to make choices between purchasing high quantities of popular titles so wait lists are shorter, or focusing their funding on fewer copies of a wider variety of titles, which leads to longer wait lists.

Academy Award nominations were announced on Tuesday, January 24, which means the Library is one step closer to the 37th Annual Academy Award Short Film Festival, March 4-11. This program showcases the five short films nominated for Academy Awards in the Live Action, Animation and Documentary categories. More information is available at wichitalibrary.org/academyawards.

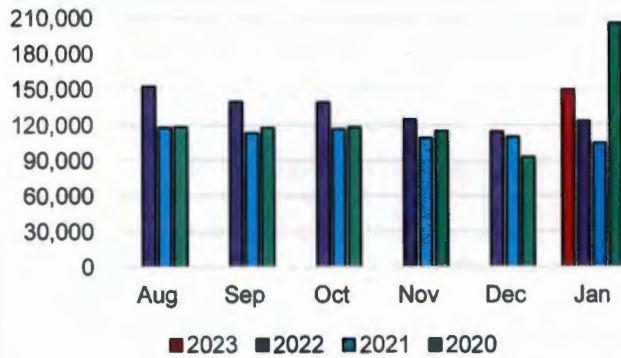
Cindy Bailey, Technology Training supervisor, started serving on the Kansas Notable Book committee. The Kansas Notable Books List is an annual recognition by the State Library of Kansas of 15 outstanding titles either written by Kansans or about a Kansas related topic. She has attended three meetings so far and has read a variety of books by Kansas authors, books about Kansas, or books set in Kansas. The committee will narrow the book selection down in May and submit a final list of recommended titles to the State Librarian of Kansas.

There are now 61 customers certified to 3D print with 16 certified to print on the Prusa, 29 certified on the MakerBot, and 16 certified to print on both. As of the end of the year, there are 218 people who have taken 3D Printing Basics, 122 students who have taken the Maker Bot Processes class, and 47 customers have taken the Prusa Processes class. Staff will conduct a review of the 3D printing process in 2023 to adjust the service as need to increase customer engagement.

GoCreate continues to be a draw for customers. Although our events typically attract a loyal group of attendees, the "How to Paint/Stain Furniture" event on January 17 was an exceptional success with an all-time high attendance of 18 customers, followed by "Desktop CNC Basics" with an attendance of 16.

Service Dashboard

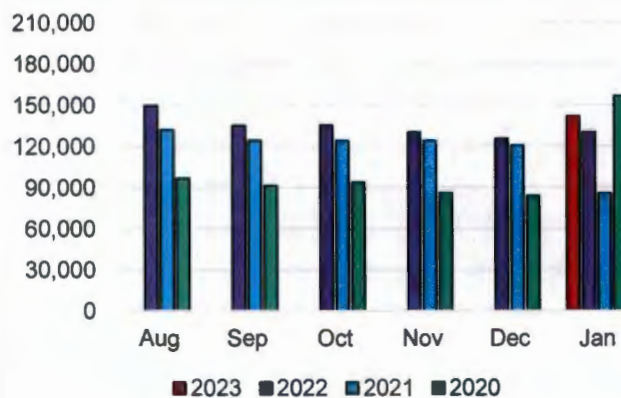
LIBRARY VISITS (door count, catalog sessions, and website visits)



JANUARY

	2023	2022	% change
Door Counts	50,893	37,243	36.65%
Catalog Log-ins	37,570	36,449	3.08%
Website Visits	60,464	49,690	21.68%
CONTENTdm Users	694	N/A	N/A
Total	149,621	123,382	21.27%

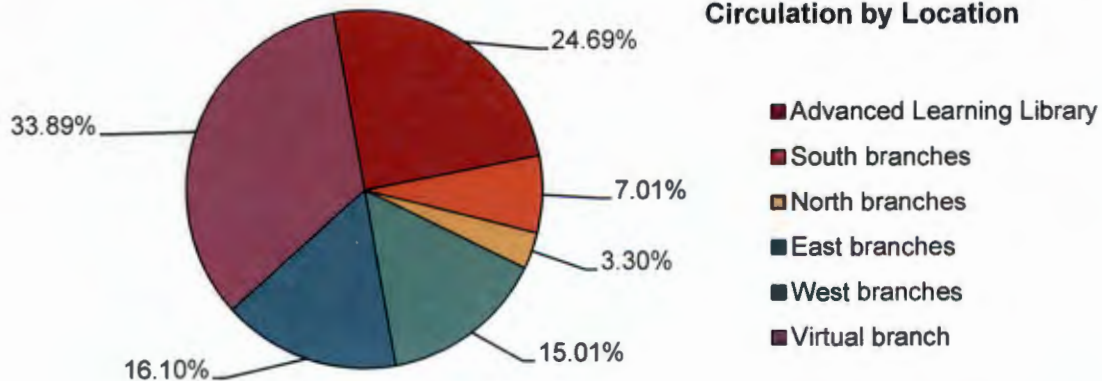
CHECKOUTS



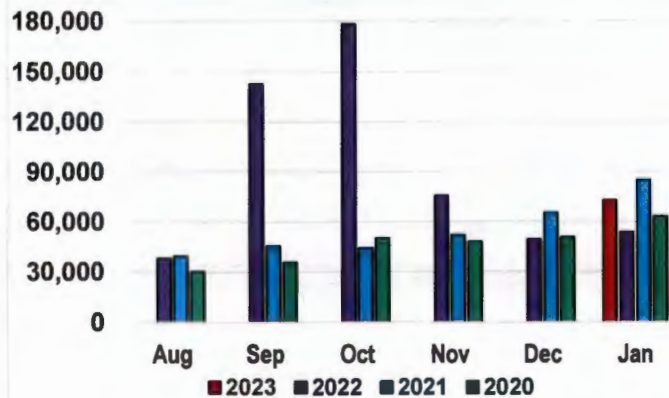
JANUARY

	2023	2022	% change
Physical Circ	93,708	88,617	5.74%
Virtual Circ	48,028	41,485	15.77%
WPL	40,031	34,211	17.01%
State	7,997	7,274	9.94%
Total	141,736	130,102	8.94%

Circulation by Location

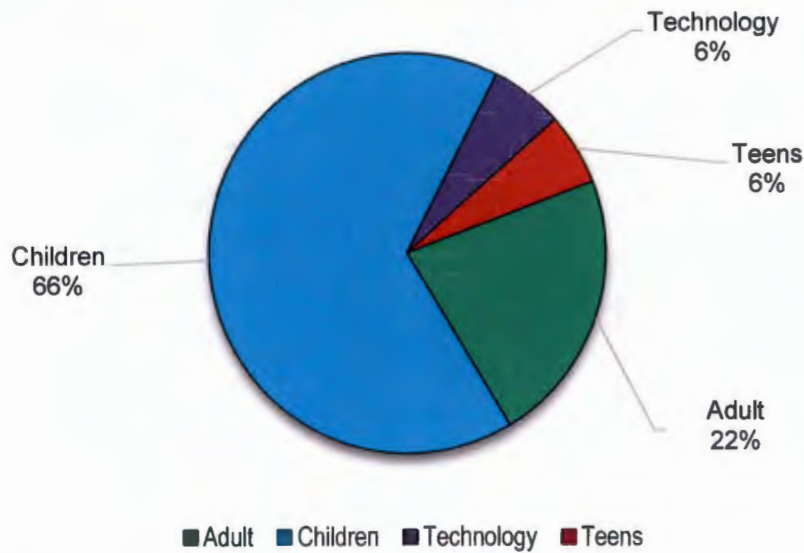


QUESTIONS ANSWERED (by staff in person/phone and through online services)



JANUARY			
	2023	2022	% change
Reference Questions	5,890	5,217	12.90%
Database Searches	64,445	45,739	40.90%
Technology Assistance	2,272	2,458	-7.57%
Book-A-Librarian Appointments	279	196	42.35%
Total	72,886	53,610	35.96%

PROGRAM ATTENDANCE

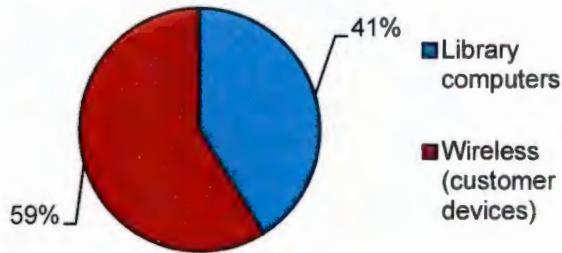


JANUARY ATTENDANCE

	2022	2021	% change
Adult events	492	180	173.33%
Children's events	1,463	132	1,008.33%
Technology training	131	60	118.33%
Teen events	128	57	124.56%
TOTAL	492	180	173.33%

PUBLIC COMPUTING

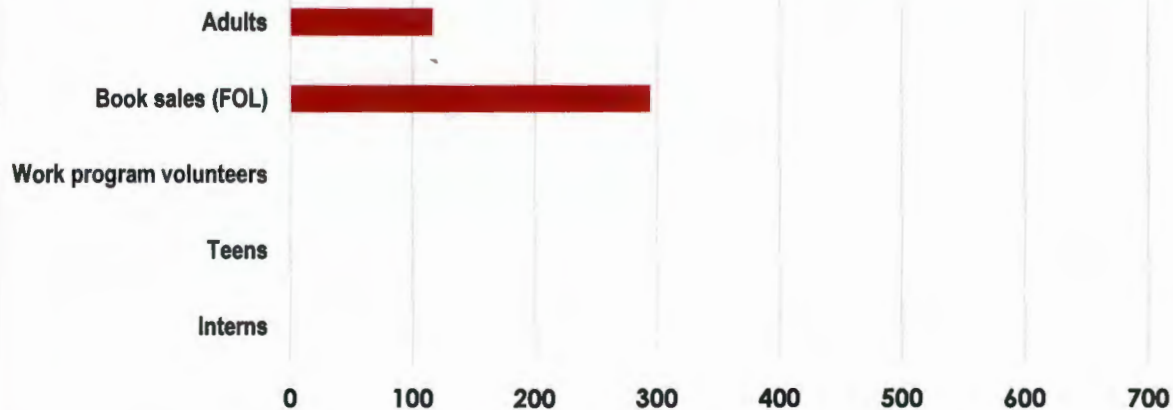
**Method of Computing Access
(by session)**



JANUARY

	2023	2022	% change
Workstation Sessions	5,603	4,220	32.77%
Wi-Fi Sessions	8,019	5,904	35.82%
Number of Users	1,306	891	46.58%
Hours of Access	8,450	6,438	31.25%

VOLUNTEERS (hours of service)



Number of volunteers YTD = 37 Hours of service YTD = 411

MATERIALS DONATIONS (value if purchased)



Year to date total = \$12,158.74 Items added to Library collections YTD = 659

Service Snapshot: Recent Raving Fans Stories

A customer visited the Westlink branch this week picking up a book about Facebook. He wanted to share videos of his church's sermons so others could watch. Staff showed him related courses on LinkedIn Learning as well as another resource, Learning Express. The customer left feeling confident about his project.

A goal of the Wichita Public Library is to be more conscious of diversity, equity, and inclusion (DEI) and reflect these principles in all aspects of its service. Westlink Branch Youth Services Librarian Eva Peacock has taken this goal to heart and been making a concentrated effort to reflect DEI in her storytime book selection. Previously, she has concentrated on ethnicities, but she is now expanding to other differences that reflect members of the community. In her most recent storytime focusing on vehicles, she included a book about a little girl who lost her hearing as an infant and another which featured a child in a wheelchair. That storytime, a child in a wheelchair actually attended the program, and as a result of Eva's efforts, he was able to see someone with a similarity to him in the books shared.

Zach Vilaythong received two complimentary letters from customers who were overwhelmed by his kindness and expertise with technology issues.

Local author Michael D. Graves thanks the Manager of Special Collections Michelle Enke in his 2022 book *Shadows and Sorrows*: "Libraries and museums are important sources of information for my stories, and I'm grateful for the generosity of many people, including Michelle Enke at the Wichita Public Library and Jami Frazier Tracy at the Wichita Sedgwick County Historical Museum."

Ian Bailey took a call from a customer who was inquiring about an article from a magazine from the 1980s that she wanted to read. From just part of the article title, Ian was able to find the exact issue. Unfortunately, our library did not have access to this particular magazine's archives, but Ian was able to find the issue in the Internet Archive. Ian followed up with instructions on how to access the material so that the customer would be able to access what she needed.

A customer who had never visited the library before asked for help finding books for a paper he was writing for school. He was unaware that books could be checked out and thought he had to read them there. Daniel Pewewardy explained how circulating books can be checked out, and the patron was thrilled with the idea of taking books home. They mentioned having little experience with libraries and thanked the staff for explaining the services to them.

Robin Dauster has spoken with several patrons over the phone recently that want to compliment staff on their interesting programs and to let us know that our efforts are appreciated. Patrons seem particularly intrigued by our programs on business, crafting, and hands-on technology.

WICHITA PUBLIC LIBRARY

Minutes of a Meeting of the Library Board of Directors
January 17, 2023.

The hybrid meeting of the Library Board of Directors was held on Tuesday, January 17, 2023 at the Advanced Learning Library with the following present in person: Ms. Erinn Bock, Ms. Donna Douglas, Mr. Kevin McWhorter, Ms. Shelby Petersen, Mr. Chuck Schmidt, and Mr. Jonathan Winkler. The following attended virtually: Ms. Rachel Enix, Ms. Lauren Hirsh, Ms. Shannon Littlejohn, and Dr. Maaskelah Thomas.

Call to Order

Kevin McWhorter called the meeting to order at 12:02 p.m., a quorum being present.

Staff Presentation

Director Nix and Paul Hawkins, Director of the South Central Kansas Library System, provided an overview of the work done to create the Library's new mission and vision statements. Following the discussion with board members at the November meeting, several variations of both statements were developed through work with Director Hawkins, focus groups, and staff. The preferred possibilities were then sent to the City Manager for review and are now being incorporated into Library policy. The new mission statement is: "Connect. Discover. Learn. Thrive," while the new vision statement is: "Inclusive. Responsive. Collaborative. Your library makes your community limitless."

Approval of the Agenda

Chuck Schmidt moved (Douglas) to approve the agenda as published. **Motion carried unanimously.**

Public Comment

None

Approval of Minutes

Minutes of the regular meeting held on December 20, 2022 were presented. Shannon Littlejohn asked she be added as being in attendance, as the minutes do not reflect this. Erinn Bock moved (Petersen) to approve the minutes as amended. **Motion carried unanimously.**

Unfinished Business

None

New Business

Erinn Bock moved (Schmidt) to receive and file the semi-annual report of staff travel. **Motion carried unanimously.**

Finance Committee Report

Director Nix reported that the Finance Committee did not meet. December financial reports are still in the preliminary phase and will be brought to the Board in February with the January financial reports.

Operations Committee Report

Director Nix reviewed a series of policy updates recommended by staff. These included:

- PHI-002 Mission Statement
- PHI-003 Vision Statement
- PHI-004 Values Statement
- REF-002 General Equipment Available for Customer Use
- REF-003 Public Computer Workstation
- REF-005 Photograph Collection Reproduction
- REF-007 Handouts and Bulletin Boards
- REF-009 Meeting Room Facilities
- REF-009.2 Advanced Learning Library AV Maker Studio

On behalf of the Operations Committee, Jonathan Winkler moved (Douglas) to adopt the policy changes as recommended by staff. **Motion carried unanimously.**

Planning & Facilities Committee Report

No report.

Public Affairs Committee Report

No report.

Special Committee Reports

Friends of the Library (FOL) – Leslie Naylor reported that FOL board members have been identifying the WPL programs they wish to support in 2023. Students from the WSU Shocker Lab are developing a brand for the FOL to assist in recruitment. The board is currently working to fill its executive roles.

Library Foundation – Director Nix reported that the Kansas Health Foundation is providing \$50,000.00 to introduce bookmobile services. A grant application has recently been submitted to the United Way of the Plains.

Wichita Genealogical Society (WGS) – Julie Crawford presented the WGS accomplishments for 2022. The society indexed approximately 33,000 women's names from local cookbooks, donated approximately \$800,000.00 to the Library, compiled five indexes of obituaries, and held its annual conference in October.

Director of Libraries Report

Director Nix reported that the design work on the Westlink renovation project is moving forward. Wireless access points are being installed at Evergreen, after being delayed approximately one year by supply chain issues.

The Library was contacted by PBS to be part of a news story about libraries and their ever-changing roles in the community.

Two art donations have been approved by the Design Council. Paul Foley's bronze statue will be placed at Alford, and John Waltner's will progress to development of concept drawings for a mobile for the Advanced Learning Library.

The Parks and Recreation Department is interested in a new mobile application that may be beneficial to the Library.

The Little Free Libraries are ready to be installed by Hutton Construction in District 3.

There will be a demonstration of the new RFID technology for staff in the next week, which will kick start this technology conversion.

A State of the Library presentation will be given at the February 10 City Council meeting.

Staff have been researching and learning more about the ongoing fentanyl addiction problem within the community in order to make more resources and information available to library customers.

Announcements

None

Adjournment

The meeting was adjourned at 12:55 p.m.

The next regularly scheduled meeting will be February 21, 2023.

Respectfully submitted,

Jaime Nix

**City of Wichita
City Council Meeting
February 28, 2023**

TO: Mayor and City Council

SUBJECT: Community Event with Alcohol Consumption – Wichita Wagonmasters’
Downtown St. Patrick’s Day Party (Districts I & VI)

INITIATED BY: Department of Park & Recreation

AGENDA: Consent

Recommendation: Adopt the resolution to allow alcohol consumption during the Wichita Wagonmasters’ Downtown St. Patrick’s Day Party on March 11, 2023.

Background: A community event application that would establish a Temporary Entertainment District (TED) and allow alcohol consumption has been submitted for the Wichita Wagonmasters’ Downtown St. Patrick’s Day Party, scheduled for March 11, 2023. In accordance with Sections 4.04.040(a)(1) and 3.11.065(d) of the Code of the City of Wichita and the Community Events Procedure, a resolution is required authorizing consumption of alcoholic liquor on sidewalks and on public streets, which have been closed to motor vehicle traffic during such licensed community event. The City Council has approved the request for street closures involved in this event; area businesses and residents have been notified of the street closures, which are depicted on the attached map. The TED will include a portion of Douglas Avenue between St. Francis Avenue and Mead Street as well as St. Francis Avenue between Douglas Avenue and William Street. Upon review of the application for this community event and upon consideration of the factors set forth in the Code of the City of Wichita, the City Council shall determine if such approval should be given.

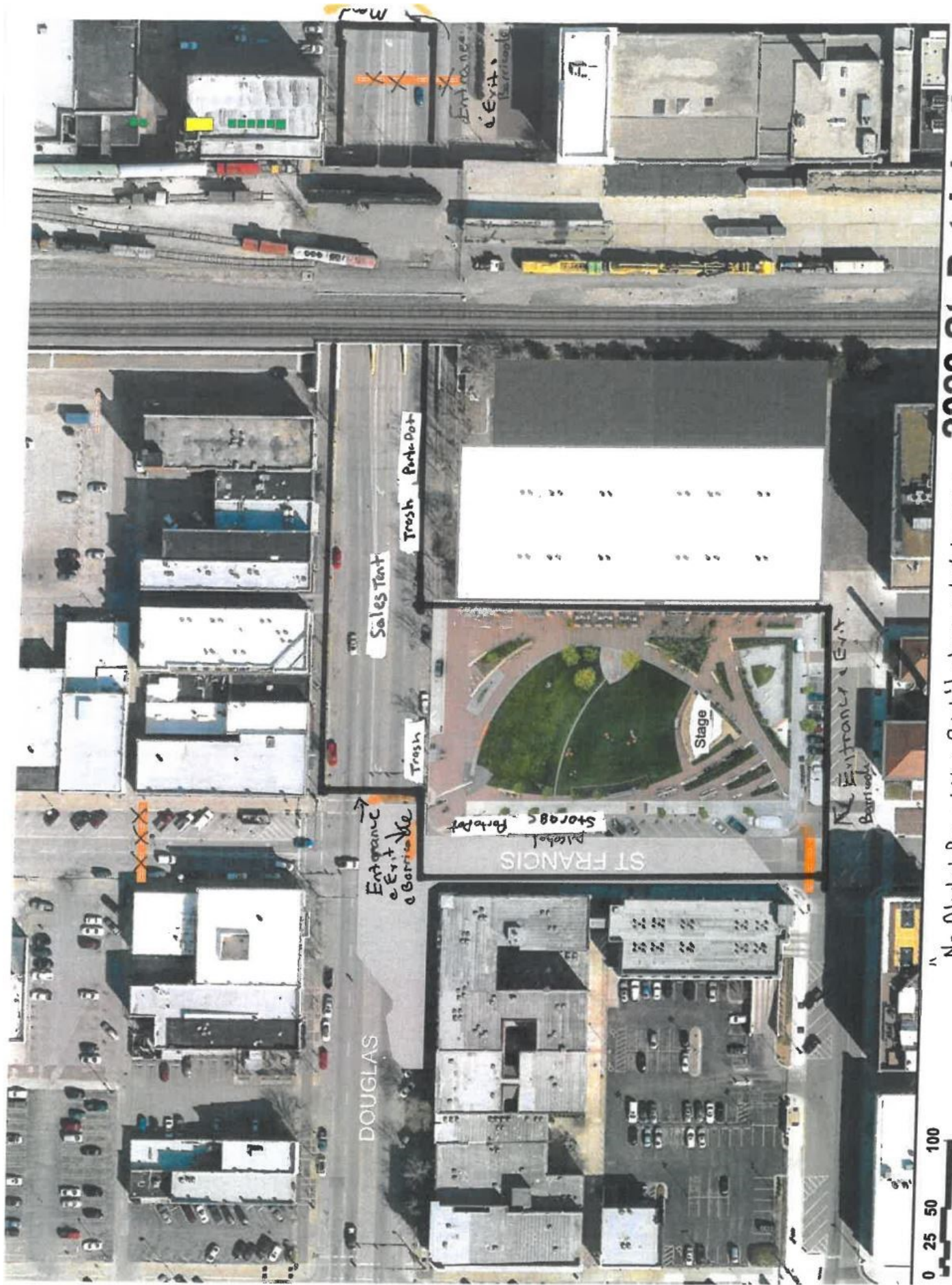
Analysis: Section 3.11.080 of the Code of the City of Wichita sets forth criteria that must be considered for approval of a proposed community event. Those factors applicable to this event include findings that the event will not obstruct the operation of emergency vehicles or equipment; the event does not present a safety, noise, or traffic hazard; the event conforms to regulations regarding the use and/or the allowable number of participants for the proposed location; the proposed event does not violate any laws of the City of Wichita, State of Kansas or the United States; and that closures of public streets have been approved by the City Council. Applying this criteria, staff has reviewed the application of the Wichita Wagonmasters’ Downtown St. Patrick’s Day Party for a community event with consumption of alcoholic liquor allowed and finds that such criteria has been met and recommends approval of the event permit.

Financial Consideration: There are no financial considerations.

Legal Consideration: The Law Department has prepared the proposed resolution and approved as to form.

Recommendation/Actions: It is recommended that the City Council adopt the resolution to allow alcohol consumption upon sidewalks and public streets within the parameters outlined in the Community Event Application during the Wichita Wagonmasters’ Downtown St. Patrick’s Day Party on March 11, 2023, and authorize the necessary signatures.

Attachments: Resolution and map of proposed TED site for consumption of alcoholic liquor for the Wichita Wagonmasters’ Downtown St. Patrick’s Day Party.



"No Alcohol Beyond this Point" signs noted in orange

2023 St. Patricks Day

SICF ARCHITECTURE NOVEMBER 1, 2022

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CONSUMPTION OF ALCOHOLIC LIQUOR ON PUBLIC STREETS DURING THE WICHITA WAGONMASTERS' DOWNTOWN ST. PATRICK'S DAY PARTY

WHEREAS, the City Council has been proposed as a community event the Wichita Wagonmasters' Downtown St. Patrick's Day Party to occur on March 11, 2023.

WHEREAS, the City Council has approved Douglas Avenue from the west curb line of St. Francis Avenue to the west curb line of Mead Street and St. Francis Avenue from the south curb line of Douglas Avenue to the north curb of William Street to be closed to vehicular traffic from 5:00 am to 7:00 pm on Saturday, March 11, 2023, with the consumption of alcoholic liquor allowed thereon from 12:00 pm to 5:00 pm on Saturday, March 11, 2023.

WHEREAS, a temporary permit for the consumption of alcoholic liquor at the Wichita Wagonmasters' Downtown St. Patrick's Day Party has been applied for and will be issued by the State of Kansas and the City of Wichita upon the presentation of this Resolution or a caterer licensed through the State of Kansas and the City of Wichita who has provided the required notification pursuant to K.S.A 41-2643 and amendments thereto, or a licensed business entity has been authorized to extend its licensed premises pursuant to K.S.A 41-2608 and amendments thereto.

NOW, THEREFORE, BE IT RESOLVED that the City Council, pursuant to Section 3.11.065(d) of the Code of the City of Wichita, and in consideration of the factors set forth in Section 3.11.080 of the Code of the City of Wichita, grants its approval for the consumption of alcoholic liquor on the city streets, sidewalks and public right of ways which are located within the designated event area of the Wichita Wagonmasters' Downtown St. Patrick's Day Party, to occur from 12:00 pm to 5:00 pm on March 11, 2023 as set forth above.

ADOPTED by the governing body of the City of Wichita, Kansas, this _____ day of _____, 2023.

CITY OF WICHITA, KANSAS

By _____
Brandon J. Whipple, Mayor

ATTEST:

Jamie Buster
City Clerk

Approved as to Form:

Jennifer Magana, City Attorney &

City of Wichita
City Council Meeting
February 28, 2023

TO: Mayor and City Council

SUBJECT: Community Events with Alcohol Consumption – Final Fridays and Tacos and Tequila – Resolution (District I)

INITIATED BY: Department of Park and Recreation

AGENDA: Consent

Recommendation: Adopt the resolution to allow alcohol consumption during the Final Fridays and Tacos and Tequila events listed in the resolution which will occur from March 31, 2023 through September 29, 2023.

Background: A community event application that would establish a Temporary Entertainment District (TED) and allow alcohol consumption has been submitted for the Final Fridays and Taco and Tequila events occurring between March 31, 2023, and September 29, 2023. In accordance with Sections 4.04.040(a)(1) and 3.11.065(d) of the Code of the City of Wichita and the Community Events Procedure, a resolution is required authorizing consumption of alcoholic liquor on public streets, alleys, or sidewalks, that have been closed to motor vehicle traffic during such licensed community events. The City Council has approved the request for street closures involved in these events, which are depicted on the attached maps. Area businesses and residents will be notified of the street closures prior to each event. The TED for these events includes a portion of Wichita Street between WaterWalk Place and Dewey Street as well as WaterWalk Place between Wichita Street and Water Street. Upon review of the application for this community event and upon consideration of the factors set forth in the Code of the City of Wichita, the City Council shall determine if such approval should be given.

Analysis: Section 3.11.080 of the Code of the City of Wichita sets forth the criteria that must be considered for approval of a proposed community event. Those factors applicable to this event include findings that the event will not obstruct the operation of emergency vehicles or equipment; the event does not present a safety, noise, or traffic hazard; the event conforms to regulations regarding the use and/or the allowable number of participants for the proposed location; the proposed event does not violate any laws of the City of Wichita, State of Kansas or the United States; and that closures of public streets and sidewalks have been approved by the City Council. Applying these criteria, staff has reviewed the Final Friday Events community event license application for various community events with consumption of alcoholic liquor allowed and finds that such criteria has been met and recommends approval of the event permit.

Financial Consideration: The event sponsor is responsible for all costs associated with the community event.

Legal Consideration: The Law Department has prepared and approved as to form the proposed resolution.

Recommendation/Actions: It is recommended that the City Council adopt the resolution to allow alcohol consumption during the Final Fridays and Tacos and Tequila events listed in the resolution that will occur from March 31, 2023 through September 29, 2023.

Attachments: Resolution and map of the proposed TED site for consumption of alcoholic liquor for the events.

2023 Xclusive Events

Wichita Boathouse

Red indicates barricades. Blue indicates food trucks



RESOLUTION NO. 23-096

A RESOLUTION AUTHORIZING THE CONSUMPTION OF ALCOHOLIC LIQUOR ON PUBLIC STREETS AND SIDEWALKS DURING THE FINAL FRIDAYS AND TACOS AND TEQUILA EVENTS

WHEREAS, the City Council has been proposed as a community event permit for the Final Fridays and Tacos and Tequila events which will occur from March 31, 2023 through September 29, 2023.

WHEREAS, the City Council has approved Wichita Street from the north curb line of WaterWalk Place to the north curb line of Dewey Street and WaterWalk Place from Wichita Street to the west curb line of Water Street to be closed to vehicular traffic. Such street closure shall be approved from 3:00 pm to 11:00 pm with consumption of alcoholic liquor allowed thereon from 6:00 pm to 10:00 pm on each of the following dates:

- March 31, 2023
- April 28, 2023
- May 14, 2023
- May 26, 2023
- June 30, 2023
- July 28, 2023
- August 25, 2023
- September 29, 2023

WHEREAS, the City Council has approved Wichita Street from the north curb line of WaterWalk Place to the north curb line of Dewey Street and WaterWalk Place from Wichita Street to the west curb line of Water Street to be closed to vehicular traffic for the Tacos and Tequila event from 9:00 am to 11:00pm and with the consumption of alcoholic liquor allowed there on from 12:00 pm to 9:00 pm on May 13, 2023.

WHEREAS, for each of the above-listed events, a temporary permit for the sale and consumption of alcoholic liquor will be applied for and issued by the State of Kansas and the City of Wichita upon the presentation of this Resolution, or the alcoholic liquor will be sold by a caterer

licensed through the State of Kansas and the City of Wichita who has provided the required notification pursuant to K.S.A. 41-2643 and amendments thereto, or a licensed business entity has been authorized to extend its licensed premises pursuant to K.S.A. 41-2608 and amendments thereto.

NOW, THEREFORE, BE IT RESOLVED that the City Council, pursuant to Section 3.11.065(d) of the Code of the City of Wichita, and in consideration of the factors set forth in Section 3.11.080 of the Code of the City of Wichita, grants its approval for the consumption of alcoholic liquor on the city streets, alleys, sidewalks and public rights of way which are located within the designated event area of the Final Fridays and Tacos and Tequila events as set forth above and to occur upon the dates and during the times above stated.

ADOPTED by the governing body of the City of Wichita, Kansas, this 28th day of February, 2023.

CITY OF WICHITA, KANSAS

By _____
Brandon J. Whipple, Mayor

ATTEST:

Jamie Buster
City Clerk

Approved as to Form:

Jennifer Magaña, City Attorney and
Director of Law

February 28, 2023 – City Council Meeting

Proposed Assessment Rolls

Proposed Assessment Rolls have been prepared for thirty-six (36) water projects, twenty-two (22) sewer projects, fourteen (14) storm sewer projects and thirty-one (31) paving projects and it is necessary to set a public hearing date. A virtual informal hearing with City personnel will be held **March 20, 2023**, at 11:00 a.m. Notification of both the informal and formal public hearings regarding the proposed special assessments will be mailed to affected property owners on **March 3, 2023**.

RECOMMENDED ACTION:	Set the hearing on the Proposed Assessment Rolls for 9:00 a.m., Tuesday, May 09, 2023 .
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Visit Wichita Monthly Financial Report Nov-2022

<u>Revenues</u>			
	Actuals Month	Actuals Year to Date	Annual Budget
<u>City Funds:</u>			
Transient Guest Tax	179,166	1,970,833	2,150,000
City Matching Funds	-	-	-
Contingency	-	117,220	130,000
TOTAL REVENUES	179,166	2,088,053	2,280,000
<u>Expenditures</u>			
	Actuals Month	Actuals Year to Date	Annual Budget
<u>Salaries and Benefits</u>	115,587	1,112,240	1,269,035
<u>Office Expenses</u>			
Rent	16,748	183,277	201,000
Utilities	-	-	-
Computer/Technology	23,149	69,810	65,273
Office Supplies	690	13,081	12,350
Other	4,659	36,241	44,074
TOTAL OFFICE EXPENSES	45,246	302,409	322,697
<u>Professional Dev, Meetings</u>	1,903	33,979	38,980
<u>Printing and Photocopying</u>	1,027	10,745	11,616
<u>Professional Fees</u>	12,736	78,820	67,660
<u>Other</u>			
Dues, Subscriptions, Tickets	1,857	36,211	39,149
Research	2,500	29,849	35,994
Retention Efforts	-	-	-
Marketing and Program Efforts	9,688	330,827	318,388
Program Support	-	117,220	130,000
Diversification	-	-	-
All Other Expenses	(3,392)	18,363	46,481
TOTAL OTHER	10,653	532,470	570,012
Total Expenditures	187,152	2,070,663	2,280,000
Revenues Over (Under) Expenditures	(7,986)	17,390	-

Submitted By:

Laura Kent

Date:

2/13/23

Visit Wichita Marketing Monthly Financial Report

Expenditures			
	Actuals <u>Month</u>	Actuals <u>Year to Date</u>	Annual <u>Budget</u>
<u>Salaries and Benefits</u>	76,773	689,963	901,605
<u>Office Expenses</u>			
Rent	-	-	-
Utilities	-	-	-
Computer/Technology	9,893	15,197	24,358
Office Supplies	-	1,956	950
Other	2,608	14,516	17,604
TOTAL OFFICE EXPENSES	12,501	31,669	42,912
<u>Professional Dev, Meetings</u>	279	16,423	16,790
<u>Printing and Photocopying</u>	-	-	-
<u>Professional Fees</u>	-	-	-
<u>Other</u>			
Dues, Subscriptions, Tickets	1,258	10,355	16,264
Research	2,500	29,849	35,994
Retention Efforts	-	-	-
Marketing and Program Efforts	9,496	330,264	317,488
Program Support	-	117,220	130,000
Diversification	-	-	-
All Other Expenses	70	2,052	1,600
TOTAL OTHER	13,324	489,740	501,346
Total Expenditures	102,877	1,227,795	1,462,653

Visit Wichita Operations Monthly Financial Report

<u>Expenditures</u>	Actuals	Actuals	Annual
	<u>Month</u>	<u>Year to Date</u>	<u>Budget</u>
<u>Salaries and Benefits</u>	38,814	422,277	367,430
<u>Office Expenses</u>			
Rent	16,748	183,277	201,000
Utilities	-	-	
Computer/Technology	13,256	54,613	40,915
Office Supplies	690	11,125	11,400
Other	2,051	21,725	26,470
TOTAL OFFICE EXPENSES	32,745	270,740	279,785
<u>Professional Dev, Meetings</u>	1,624	17,556	22,190
<u>Printing and Photocopying</u>	1,027	10,745	11,616
<u>Professional Fees</u>	12,736	78,820	67,660
<u>Other</u>			
Dues, Subscriptions, Tickets	599	25,856	22,885
Research	-	-	
Retention Efforts	-	-	
Marketing and Program Efforts	192	563	900
Program Support	-	-	
Diversification	-	-	
All Other Expenses	(3,462)	16,311	44,881
TOTAL OTHER	(2,671)	42,730	68,666
Total Expenditures	84,275	842,868	817,347

Visit Wichita Monthly Financial Report Dec-2022

<u>Revenues</u>			
	Actuals Month	Actuals Year to Date	Annual Budget
<u>City Funds:</u>			
Transient Guest Tax	179,167	2,150,000	2,150,000
City Matching Funds	36,450	36,450	-
Contingency	12,780	130,000	130,000
TOTAL REVENUES	228,397	2,316,450	2,280,000
<u>Expenditures</u>			
	Actuals Month	Actuals Year to Date	Annual Budget
<u>Salaries and Benefits</u>	128,993	1,241,233	1,269,035
<u>Office Expenses</u>			
Rent	16,748	200,025	201,000
Utilities	-	-	-
Computer/Technology	20,478	90,288	65,273
Office Supplies	2,024	15,105	12,350
Other	6,262	42,503	44,074
TOTAL OFFICE EXPENSES	45,512	347,921	322,697
<u>Professional Dev. Meetings</u>	2,299	36,278	38,980
<u>Printing and Photocopying</u>	1,027	11,772	11,616
<u>Professional Fees</u>	9,713	88,533	67,660
<u>Other</u>			
Dues, Subscriptions, Tickets	333	36,544	39,149
Research	-	29,849	35,994
Retention Efforts	-	-	-
Marketing and Program Efforts	27,232	358,059	318,388
Program Support	12,780	130,000	130,000
Diversification	-	-	-
All Other Expenses	17,898	36,261	46,481
TOTAL OTHER	58,243	590,713	570,012
Total Expenditures	245,787	2,316,450	2,280,000
Revenues Over (Under) Expenditures	(17,390)		

Submitted By: _____

Date: _____

Visit Wichita Marketing Monthly Financial Report

Expenditures			
	Actuals Month	Actuals Year to Date	Annual Budget
<u>Salaries and Benefits</u>	128,993	818,956	901,605
<u>Office Expenses</u>			
Rent	-	-	-
Utilities	-	-	-
Computer/Technology	713	15,910	24,358
Office Supplies	503	2,459	950
Other	1,911	16,427	17,604
TOTAL OFFICE EXPENSES	3,127	34,796	42,912
<u>Professional Dev. Meetings</u>	407	16,830	16,790
<u>Printing and Photocopying</u>	-	-	-
<u>Professional Fees</u>	-	-	-
<u>Other</u>			
Dues, Subscriptions, Tickets	333	10,688	16,264
Research	-	29,849	35,994
Retention Efforts	-	-	-
Marketing and Program Efforts	26,791	357,055	317,488
Program Support	12,780	130,000	130,000
Diversification	-	-	-
All Other Expenses	167	2,219	1,600
TOTAL OTHER	40,071	529,811	501,346
Total Expenditures	172,598	1,400,393	1,462,653

Visit Wichita Operations Monthly Financial Report

<u>Expenditures</u>			
	Actuals <u>Month</u>	Actuals <u>Year to Date</u>	Annual <u>Budget</u>
<u>Salaries and Benefits</u>	-	422,277	367,430
<u>Office Expenses</u>			
Rent	16,748	200,025	201,000
Utilities	-	-	
Computer/Technology	19,765	74,378	40,915
Office Supplies	1,521	12,646	11,400
Other	4,351	26,076	26,470
TOTAL OFFICE EXPENSES	42,385	313,125	279,785
<u>Professional Dev, Meetings</u>	1,892	19,448	22,190
<u>Printing and Photocopying</u>	1,027	11,772	11,616
<u>Professional Fees</u>	9,713	88,533	67,660
<u>Other</u>			
Dues, Subscriptions, Tickets	-	25,856	22,885
Research	-	-	
Retention Efforts	-	-	
Marketing and Program Efforts	441	1,004	900
Program Support	-	-	
Diversification	-	-	
All Other Expenses	17,731	34,042	44,881
TOTAL OTHER	18,172	60,902	68,666
Total Expenditures	73,189	916,057	817,347

**City of Wichita
City Council Meeting
February 28, 2023**

TO: Mayor and City Council

SUBJECT: Wichita Downtown Streets Conceptual Plan Bonding Resolution

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve the bonding resolution.

Background: On February 7, 2023, the City Council approved the Wichita Downtown Streets Conceptual Plan.

Analysis: The resolution included with the item on February 7, 2023, inadvertently omitted the initiation of the remaining budget.

Financial Considerations: The existing budget of \$40,000 to complete the Downtown Street Plan was approved by the City Council on July 5, 2022. The Adopted 2023-2032 Capital Improvement Program (CIP) includes \$500,000 in the Ongoing Projects section (carried over from 2022, not yet allocated) of the CIP. Staff is requesting the initiation of the remaining \$460,000 to start the design concept process for these two-way conversion projects, to be funded by Local Sales Tax.

Legal Considerations: The Law Department has reviewed and approved the resolution as to form.

Recommendation/Actions: It is recommended that the City Council adopt the resolution and authorize the necessary signatures.

Attachment: Resolution.

RESOLUTION NO. 23-097

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 22-291 OF THE CITY OF WICHITA, KANSAS WHICH AUTHORIZED THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY.

WHEREAS, the City of Wichita, Kansas (the “City”) is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, Sedgwick County, Kansas (the “County”) pursuant to the authority of K.S.A. 12-187 *et seq.* (the “Sales Tax Act”), imposes a one percent (1%) retailers' sales tax within the County (the “Sales Tax”); and

WHEREAS, pursuant to the Sales Tax Act, the City is the recipient of funds derived from the Sales Tax and is authorized pursuant to K.S.A. 12-195b to issue general obligation bonds secured by a pledge of the Sales Tax, provided certain procedural requirements contained in the Sales Tax Act are satisfied and the City obtains a comprehensive feasibility study showing that the City’s revenues from the Sales Tax will be sufficient to retire such bonds; and

WHEREAS, pursuant to the Sales Tax Act, the City Council (the “Governing Body”) of the City has heretofore passed Ordinance No. 41-815 (the “Sales Tax Ordinance”) pledging one-half of the City’s receipts from the Sales Tax for the purpose of financing the costs of road, highway and bridge projects in the City and related right-of-way acquisition (the “Eligible Improvements”); and

WHEREAS, the Governing Body is authorized, pursuant to K.S.A. 13-1024c, as amended by Charter Ordinance No. 156 of the City (the “Public Improvements Act”) to issue general obligation bonds of the City without an election for the purpose of paying for the construction, purchase or improvement of any public improvement, including the land necessary therefore, and for the purpose of rebuilding, adding to or extending the same as the necessities of the City may require and for the purpose of paying for certain personal property therefore; and

WHEREAS, the Governing Body, pursuant to **Resolution No. 22-291** (the “Prior Resolution”) previously found and determined that it is necessary and advisable to issue up to **\$40,000** in general obligation bonds to make certain public improvements described as follows:

Wichita Downtown Street Plan

(the “Project”); and

WHEREAS, the Project qualifies as an Eligible Improvement under the Sales Tax Ordinance and a public improvement under the Public Improvements Act and the Governing Body hereby finds it necessary and advisable provide for payment of all or a portion of the costs thereof by the issuance of general obligation bonds of the City.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AS FOLLOWS:

Section 1. Amendment. *Section 1* of the Prior Resolution is hereby amended to read as follows:

Section 1. Project Authorization. Project Authorization. It is hereby authorized, ordered and directed that the Project be acquired and/or constructed at an estimated cost of **\$500,000** (which includes the \$40,000 initially authorized under Resolution 22-291) in accordance with plans and specifications therefor prepared under the direction of the City Engineer and approved by the Governing Body; said plans and specifications to be placed on file in the office of the City Engineer.

Section 2. Amendment. *Section 2* of the Prior Resolution is hereby amended to read as follows:

Section 2. Sales Tax Authorization. It is hereby determined and declared to be necessary to issue sales tax/general obligation bonds (the "Sales Tax General Obligation Bonds") for the purpose of paying **\$500,000** of the costs of the Project and related interest and financing costs. The Sales Tax General Obligation Bonds shall be general obligations of the City and shall be paid and secured by a pledge of a portion of the City's receipts from the Sales Tax as set forth in **Section 3** hereof, and, if not paid, shall be paid from ad valorem taxes which may be levied by the City for such purpose without limit as to rate or amount.

Section 3. Pledge of Sales Tax. The Governing Body hereby pledges fifty percent (50%) of City's revenues from the Sales Tax to the payment of any Sales Tax General Obligation Bonds issued to finance the Project.

Section 4. Public Improvement Act Authorization. As an alternative to the authority provided under the Sales Tax Act and in **Sections 2 - 3** herein, all or a portion of the costs of the Project, interest on financing and administrative and financing costs may be financed with the proceeds of general obligation bonds of the City (the "General Obligation Bonds," and together with the Sales Tax General Obligation Bonds, the "Bonds") issued under the authority of the Public Improvements Act.

Section 5. Publication. This Resolution shall be published once a week for two (2) consecutive weeks in the official newspaper of the City. If within thirty (30) days after the final publication, there shall be filed with the Sedgwick County Election Commissioner, a written petition requesting an election on the issuance of the Sales Tax General Obligation Bonds and the pledge of the Sales Tax, signed by not less than five per cent (5%) of the electors of the City who voted at the last preceding general election of the City, then no such Sales Tax General Obligation Bonds shall be issued or Sales Tax pledged unless such proposition shall be submitted to and approved by a majority of the voters of the City voting at an election held thereon. If no sufficient protest is filed within the period of time hereinbefore stated, then the Governing Body shall be authorized to issue the Sales Tax General Obligation Bonds pursuant to the Sales Tax Act and to pledge the City's portion of the Sales Tax to the payment thereof.

Section 6. Reimbursement. The Bonds may be issued to reimburse expenditures authorized by the Prior Resolution and made on or after the date which was 60 days before July 20, 2021, and to reimburse additional expenditures authorized by this Resolution and made on or after the date which is 60 days before the date of adoption of this Resolution, all pursuant to Treasury Regulation §1.150-2.

Section 7. Repealer; Ratification. *Sections 1 and 2* of the Prior Resolution is hereby repealed; and the rest and remainder thereof is hereby ratified and confirmed.

Section 8. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

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ADOPTED by the City Council of the City of Wichita, Kansas, on February 28, 2023.

(SEAL)

Brandon J. Whipple, Mayor

ATTEST:

Jamie Buster, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña,
Director of Law and City Attorney

City of Wichita
City Council Meeting
February 28, 2023

TO: Mayor and City Council

SUBJECT Water Conservation – 2023 Rebate Program Effective Date (All Districts)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve the extension of 2023 Water Conservation Rebate Program to be retroactive effective November 23, 2022.

Background: The City of Wichita has offered an annual water conservation rebate program since 2013. The program offers rebates in the form of water bill credits with the intent of encouraging the installation of water efficient devices and appliances. Since the program first began, rebates totaling \$1,530,713 have been approved for more than 15,315 water saving units, saving a cumulative estimate of 466 million gallons (MG).

Analysis: Conserving water is an important component of the City’s long-term water supply plan, which has a water conservation goal of .35% year, or roughly 80 MG. Previous rebate programs, along with a contract with Spirit AeroSystems to annually use 381 MG of non-potable water, have allowed the City to meet its water conservation goals in prior years.

On April 5, 2022, City Council approved an allocation of \$100,000 for the 2022 Water Conservation Rebate Program to be administered until funds were exhausted or until the end of the year. Funds were exhausted on November 23, 2022.

On January 10, 2023, City Council approved an allocation of up to \$150,000, for devices purchased on or after January 1, 2023 and until funds were exhausted or December 31, 2023. This led to a period of no funds being available for applications that were received, or could have been submitted, between November 23, 2022 and December 31, 2022.

In order to bridge the gap in funding, 2023 program funds can be used to retroactively approve eligible devices with an application date on or after November 23, 2022. Applications that have been received, but were denied due to no funding, will be automatically processed without the need for customers to resubmit. Further, customers may submit applications for devices purchased on or after August 25, 2022, as part of the 2023 Program. All other 2023 program requirements still apply.

Financial Considerations: The 2023 Water Conservation Rebate Program budget of \$150,000 was approved by the City Council on January 10, 2023 and is funded by the Water Utility Fund. The proposed program dates do not impact the overall budget allocated for 2023.

Legal Considerations: The Law Department has reviewed and approved this action.

Recommendation/Action: It is recommended that the City Council approve the extension of the 2023 Water Conservation Rebate Program to be retroactive effective November 23, 2022.

**City of Wichita
City Council Meeting
February 28, 2023**

TO: Mayor and City Council

SUBJECT: Resolutions Authorizing Federal Transit Administration Surface Transportation Block Grant for Wichita Transit Network System Redesign Plan (All Districts)

INITIATED BY: Transportation Department

AGENDA: Consent

Recommendation: Adopt the resolution authorizing the filing of grant applications and the issuance of the bonding resolutions.

Background: Wichita Area Metropolitan Planning Organization (WAMPO) released a call for projects in June 2019. The call for projects created a funding menu for the WAMPO Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP) funding for FY 2023-2028. Wichita Transportation Department applied on August 16, 2019, requesting funding to have a system redesign study completed. The Transportation Department received an award from WAMPO in December 2019, to conduct the study beginning in FY 2023. In May 2020, public outreach was completed by WAMPO as a part of its MTP and TIP approval process.

Analysis: Funding was originally to be a pass-through by Kansas Department of Transportation (KDOT), however, with the Transportation Department being a designated recipient of the Federal Transit Administration (FTA) grant, KDOT requested funding to come directly from the FTA. The FTA grant application process requires a resolution by the governing body authorizing the Wichita Transportation Department to file a grant application to receive the Surface Transportation Block Grant (STBG) funding.

Wichita Transportation Department will conduct a competitive procurement process to secure a consultant to complete the study.

Financial Consideration: Funding for the cost of the study is eligible for an 80% federal and 20% local share. The grant application is anticipated to be filed for a total of \$327,699.

Total federal share:	\$ 262,135
Total local match:	<u>\$ 65,534</u>
	\$ 327,669

Legal Consideration: The Law Department has reviewed and approved the resolutions as to form.

Recommendation/Actions: It is recommended that the City Council adopt the resolution, adopt the bonding resolution, and authorize the necessary signatures.

Attachments:

1. STBG Authorizing Resolution
2. STBG Bonding Resolution

RESOLUTION NO. 23-098

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF WICHITA, KANSAS TO PAY THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY.

WHEREAS, the City of Wichita, Kansas (the “City”) is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, the Governing Body is authorized, pursuant to K.S.A. 13-1024c, as amended by Charter Ordinance No. 156 of the City (the “Act”) to issue general obligation bonds of the City without an election for the purpose of paying for the construction, purchase or improvement of any public improvement, including the land necessary therefore, and for the purpose of rebuilding, adding to or extending the same as the necessities of the City may require and for the purpose of paying for certain personal property therefore; and

WHEREAS, the Governing Body hereby finds and determines that it is necessary and advisable to make certain public improvements described as follows:

Wichita Transit Network Redesign Study

(the “Project”) and to provide for the payment of all or a portion of the costs thereof by the issuance of general obligation bonds of the City pursuant to the Act.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AS FOLLOWS:

Section 1. Project Authorization. It is hereby authorized, ordered and directed that the Project be acquired and/or constructed at an estimated cost of \$327,669 in accordance with plans and specifications therefor prepared under the direction of the Transit Director and approved by the Governing Body; said plans and specifications to be placed on file in the Transit offices.

Section 2. Project Financing. All or a portion of the costs of the Project, interest on financing and administrative and financing costs shall be financed with the proceeds of general obligation bonds of the City (the “Bonds”). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of adoption of this Resolution, pursuant to Treasury Regulation §1.150-2.

Section 3. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

ADOPTED by the City Council of the City of Wichita, Kansas, on February 28, 2023.

(SEAL)

Brandon Whipple, Mayor

ATTEST:

Jamie Buster, City Clerk

APPROVED AS TO FORM:

Jennifer Magana, Director of Law

RESOLUTION NO. 23-099

**A RESOLUTION AUTHORIZING
THE FILING OF AN APPLICATION
WITH THE FEDERAL TRANSIT ADMINISTRATION,
AN OPERATING ADMINISTRATION OF THE
UNITED STATES DEPARTMENT OF TRANSPORTATION,
FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED
BY 23 U.S.C. CHAPTER 133
AND OTHER FEDERAL STATUTES ADMINISTERED BY THE
FEDERAL TRANSIT ADMINISTRATION
TO SUPPORT FY 2023 SURFACE TRANSPORTATION BLOCK GRANT PROJECTS**

WHEREAS, the Federal Transportation Administrator has been delegated authority to award federal financial assistance for transportation projects; and

WHEREAS, the grant or cooperative agreement for federal financial assistance will impose certain obligations upon the City of Wichita and may require the City to provide the local share of the project cost; and

WHEREAS, the City of Wichita has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project; and

WHEREAS, the City of Wichita desires financial assistance for support of the following projects: Wichita Transit Purchase of Electric Paratransit Buses (with leased batteries) and Related Equipment and Facility Improvement

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

- The City Manager or designee is authorized to execute and file an application on behalf of the City of Wichita, Kansas, with the Federal Transit Administration for Federal assistance under 23 U.S.C. Section 133 or other federal statutes authorizing a project administered by the Federal Transit Administration to aid in financing § 11109; 23 U.S.C. 133(d)(1)(A)(iii) and (d)(3)(B).
 - 1.
 2. That the City Manager or designee is authorized to execute and file with its application the annual certifications and assurances and other documents the Federal Transit Administration requires before awarding a federal assistance grant or cooperative agreement.
 3. That the City Manager or designee is authorized to execute the grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Wichita.

PASSED AND APPROVED THIS 28th day of February 2023.

THE CITY OF WICHITA, KANSAS

Brandon Whipple, Mayor

ATTEST:

Jamie Buster, City Clerk

Approved as to Form:

Jennifer Magana, Director of Law

CERTIFICATION

The undersigned duly qualified Mayor, acting on behalf of the City of Wichita, which is the Designated Recipient of Urbanized Area Formula Program assistance under the provisions of § 11109; 23 U.S.C. 133(d)(1)(A)(iii) and (d)(3)(B) certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the City of Wichita.

ADOPTED at Wichita, Kansas on February 28, 2023.

Brandon Whipple, Mayor

SECOND READING ORDINANCES FOR February 28, 2023 (FIRST READ February 21, 2023)

a. ORDINANCE NO. 52-035

AN ORDINANCE AMENDING ARTICLE II, SECTION B AND ARTICLE IV, SECTIONS A AND E OF THE UNIFIED ZONING CODE AND REPEALING THE ORIGINAL SECTIONS THEREOF.

b. ORDINANCE NO. 52-039

AN ORDINANCE INCLUDING AND INCORPORATING CERTAIN BLOCKS, PARCELS, PIECES AND TRACTS OF LAND WITHIN THE LIMITS AND BOUNDARIES OF THE CITY OF WICHITA, KANSAS.

c. ORDINANCE NO. 52-040

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

d. ORDINANCE NO. 52-041

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

City of Wichita
City Council Meeting
February 28, 2023

TO: Mayor and City Council

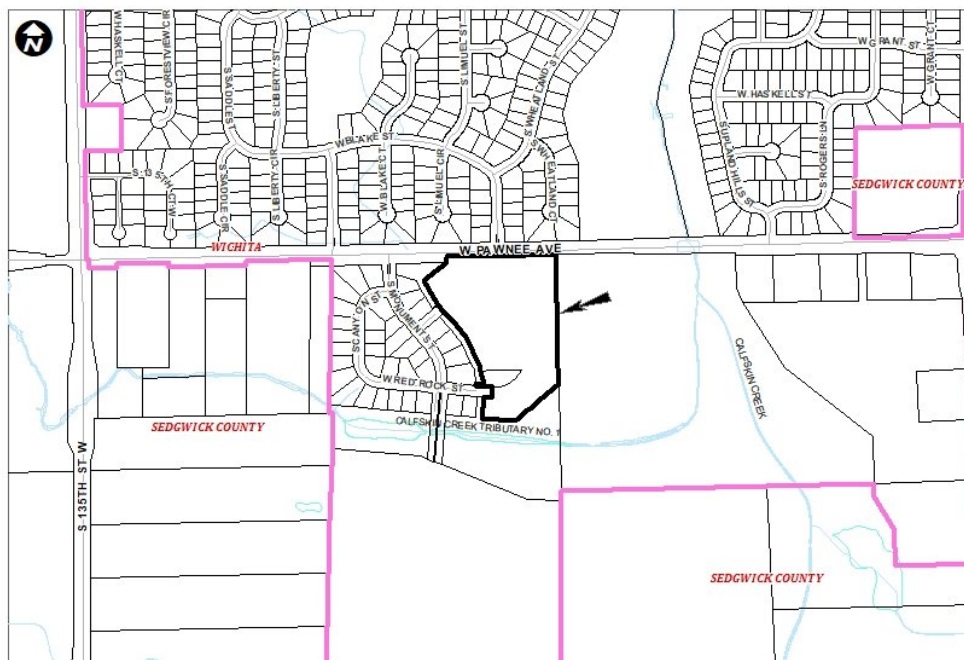
SUBJECT: SUB2022-00072 -- Plat of Lionsgate Addition Located on the South Side of West Pawnee Avenue, One-Half Mile East of South 135th Street West (District IV)

INITIATED BY: Metropolitan Area Planning Department

AGENDA: Planning (Consent)

MAPC Recommendation: Approve the plat (12-0).

Staff Recommendation: Approve the plat.



Background: The site consists of 40 lots on 11.87 acres zoned TF-3 Two-Family Residential.

Analysis: The applicant has submitted a Certificate of Petition for sewer, water, drainage, and paving improvements. The applicant has submitted a Restrictive Covenant in accordance with the City of Wichita Backyard Drainage Policy. The applicant has submitted a Restrictive Covenant to provide for the ownership and maintenance responsibilities of the reserves being platted. The applicant has provided a Restrictive Covenant restricting the use of a 15-foot street, drainage, and utility easement adjoining a narrow street right-of-way.

The plat has been reviewed and approved by the Metropolitan Area Planning Commission subject to conditions.

Financial Considerations: There are no financial considerations associated with the plat.

Legal Considerations: The Law Department has reviewed and approved the pertinent documents as to form and the documents will be recorded by the applicant with the Register of Deeds.

Recommendations/Actions: It is recommended that the City Council approve the documents and plat and authorize the necessary signatures.

Attachments: Certificate of Petition
Restrictive Covenants

CERTIFICATE

CITY OF WICHITA)
SEDGWICK COUNTY) SS
STATE OF KANSAS)

I, Timothy M. Chadd, Member of NAPA Adventures, L.L.C., owner of Lionsgate, Wichita, Sedgwick County, Kansas, do hereby certify that petitions for the following improvements have been submitted to the City Council of the City of Wichita, Kansas:

1. Interior Street Paving and Drainage Improvements
2. Sanitary Sewer Improvements
3. Water line Improvements

As a result of the above-mentioned petitions for improvements, lots or portions thereof within Lionsgate, Wichita, Sedgwick County, Kansas may be subject to special assessments assessed thereto for the cost of construction the above-described improvements.

Signed this 31 day of January, 2023.

NAPA Adventures, L.L.C.

Timothy M. Chadd
Timothy M. Chadd, Member

CITY OF WICHITA)
SEDGWICK COUNTY) SS
STATE OF KANSAS)

The foregoing instrument was acknowledged before me this 31 day of

January 2023, by Timothy M. Chadd, Member of NAPA Adventures, L.L.C., owner of Lionsgate, Wichita, Sedgwick County, Kansas.

Seal or Stamp



Marsha R. Bishop, Notary Public
(signature of notary officer)

My appointment expires: 11.27 2023.

RESTRICTIVE COVENANT

THIS DECLARATION made this 31st day of JANUARY, 2023, by NAPA Adventures, L.L.C.,

WITNESSETH: That,

WHEREAS, the undersigned is in the process of platting certain real property to be known as Lionsgate, Wichita, Sedgwick County, Kansas,

NOW THEREFORE, the undersigned does hereby subject Lionsgate, Wichita, Sedgwick County, Kansas, to the following covenants and restrictions:

A master drainage plan has been developed for this plat. All drainage easements, rights-of-way, and reserves shall remain at established grades (unless modified with the approval of the City Engineer) and shall be unobstructed to allow for the conveyance of stormwater in accordance with the Stormwater Manual. The maintenance of all drainageways and drainage facilities in backyard drainage easements and reserves shall be the responsibility of the property owner, and shall be enforced by the Homeowners' Association and be proved for in the Homeowners' Association covenants. The property owner shall provide a copy of the Individual Lot Grading Plan and the Individual Lot Grading Plan Certificate pertaining to such owner's lot to any person installing a lawn, landscaping, fencing, or other improvements or structures and require them to maintain the grade levels shown on the Individual Lot Grading Plan Certificate.

EXECUTED the day and year first above written.

Signed this 31 day of January, 2023.

NAPA Adventures, LLC

Timothy M. Chadd
Timothy M. Chadd, Member

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

The foregoing instrument was acknowledged before me this 31 day of January, 2023, by Timothy M. Chadd, Member of NAPA Adventures, L.L.C., owner of Lionsgate, Wichita, Sedgwick County, Kansas.

Seal or Stamp



Marsha R. Bishop, Notary Public
(signature of notary officer)

My appointment expires: 11.27 20 23

RESTRICTIVE COVENANT

THIS DECLARATION made this 31ST day of JANUARY, 2023, by NAPA Adventures, LLC, hereinafter called "Declarant",

WITNESSETH

WHEREAS, Declarant is the owner of the following described property:

Lionsgate, Wichita, Sedgwick County, Kansas.

WHEREAS, the Declarant is desirous in connection therewith that various restrictions be placed of record on the 15-foot street, drainage and utility easements.

NOW, THEREFORE, Declarant hereby declares and covenants that retaining walls, change of grade, fences, earth berms, and mass plantings shall be prohibited within the said easements. Furthermore, the Declarant hereby agrees that any planting within the said easements shall be reviewed by the City Forestry Division, prior to installation.

This covenant shall be binding on the owner, their heirs, or successors or assigns and is a covenant running with the land, and is binding on all successors in title to all Lots, as platted in said Lionsgate, Wichita, Sedgwick County, Kansas.

The covenants, conditions, and restrictions on the property created and established in this instrument may be waived, terminated, or modified only upon written consent of the City of Wichita and/or County. No such waiver, termination or modification shall be effective until such written consent is recorded in the office of the Register of Deeds for Sedgwick County, Kansas.

Signed this 31 day of January, 2023.

NAPA Adventures, L.L.C.

Timothy M. Chadd
Timothy M. Chadd, Member

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

The foregoing instrument was acknowledged before me this 31 day of January, 2023, by Timothy M. Chadd, Member of NAPA Adventures, LLC, owner of Cooper Creek, Wichita, Sedgwick County, Kansas.

Seal or Stamp



Marsha R. Bishop, Notary Public
(signature of notary officer)

My appointment expires: 11.27 20 23.

RESTRICTIVE COVENANT

THIS DECLARATION made this 31ST day of JANUARY, 2023, by NAPA Adventures, L.L.C.,

WITNESSETH: That,

WHEREAS, the undersigned is in the process of platting certain real property to be known as Lionsgate, Wichita, Sedgwick County, Kansas,

WHEREAS, as a part of the platting process, certain requirements have been made by the Wichita-Sedgwick County Metropolitan Area Planning Department regarding the maintenance of the Reserves being platted with the Addition.

NOW THEREFORE, the undersigned does hereby subject Lionsgate, Wichita, Sedgwick County, Kansas, to the following covenants and restrictions:

1. Maintenance of Reserves A and B, Lionsgate, Wichita, Sedgwick County, Kansas, shall be the responsibility of NAPA Adventures, L.L.C., until such time that a homeowners association is formed and charged with maintenance responsibilities of said Reserves.

In the event that the undersigned, its successors or assigns, shall fail at any time to maintain the improvements within said Reserves situated in Lionsgate, Wichita, Sedgwick County, Kansas, the appropriate governing body may serve a written Notice of Delinquency upon the undersigned setting forth the manner in which the undersigned has failed to maintain the improvements. Such notice shall include a statement describing the obligation that has not been fulfilled and shall grant twenty (20) days within which the undersigned may fulfill the obligations. If said obligation is not fulfilled within the time specified, the appropriate governing body, in order to preserve the taxable value of the properties within the Addition, may enter upon said Reserves and perform the obligations listed in the Notice of Delinquency. All costs incurred by the governing body, in carrying out the obligations of the undersigned may be assessed against the Reserves situated in Lionsgate, Wichita, Sedgwick County, Kansas, in the same manner as provided by law for such assessments and said assessments may be established as liens upon said Reserves. Should the undersigned, its successors or assigns, upon receipt of said Notice of Delinquency believe that the obligations described in said Notice of Delinquency are not proper for any reason, may, within the twenty-day period to be provided in said notice, apply for a hearing before the governing body having

jurisdiction over the Notice of Delinquency, to appeal said assessments and any further proceedings with respect to such appeal.

2. This covenant is binding on the owners, their successors and assigns and is a covenant running with the land and is binding on all successors in title to the above described property.
3. The covenants, conditions, and restrictions on the property created and established in this instrument may be waived, terminated, or modified only upon written consent of the City of Wichita, and the County of Sedgwick. No such waiver, termination or modification shall be effective until such written consent is recorded in the office of the Register of Deeds for Sedgwick County, Kansas.

EXECUTED the day and year first above written.

Signed this 31 day of January, 2023.

NAPA Adventures, LLC

Timothy M. Chadd
Timothy M. Chadd, Member

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

The foregoing instrument was acknowledged before me this 31 day of January, 2023, by Timothy M. Chadd, Member of NAPA Adventures, L.L.C., owner of Lionsgate, Wichita, Sedgwick County, Kansas.

Seal or Stamp



Marsha R. Bishop, Notary Public
(signature of notary officer)

My appointment expires: 11-27 2023

**City of Wichita
City Council Meeting
February 28, 2023**

TO: Wichita Airport Authority

SUBJECT: EagleMed, LLC
Supplemental Agreement No. 4
2163 Air Cargo Road, Units I, J, K
Wichita Dwight D. Eisenhower National Airport

INITIATED BY: Department of Airports

AGENDA: Wichita Airport Authority (Consent)

Recommendation: Approve Supplemental Agreement No. 4.

Background: In May 2012, the Wichita Airport Authority approved an agreement with EagleMed, LLC (EagleMed) to lease three units for warehouse space at 2163 Air Cargo Road on the Wichita Dwight D. Eisenhower National Airport.

Analysis: EagleMed requests to amend the agreement to allow three, one-year option periods, effective May 1, 2023.

Financial Considerations: The facility rent to lease all three units, totaling 3,640 square feet, will increase to \$3.37 per square-foot, which is a three percent increase compared to the previous year. The annual rent for this agreement is \$12,267.

Legal Considerations: The Law Department has reviewed and approved the supplemental agreement as to form.

Recommendations/Actions: It is recommended that the Wichita Airport Authority approve the supplemental agreement and authorize the necessary signatures.

Attachment: Supplemental Agreement No. 4

SUPPLEMENTAL AGREEMENT NO. 4

By and Between

WICHITA AIRPORT AUTHORITY
Wichita, Kansas

and

EagleMed, LLC

for

Use of Facility – 2163 Air Cargo Road, Units I, J, K
Wichita Dwight D. Eisenhower National Airport
Wichita, Kansas

THIS SUPPLEMENTAL AGREEMENT NO. 4 is entered into this February 28, 2023, between THE WICHITA AIRPORT AUTHORITY, Wichita, Kansas (LESSOR) and EAGLEMED, LLC, (LESSEE) are referred to collectively herein as the “Parties”.

WHEREAS, the Parties entered into a Use and Lease Agreement (“Agreement”) on May 15, 2012; Supplemental Agreement No. 1 (“S.A.1”) dated February 24, 2015, for the purpose of additional space; Supplemental Agreement No. 2 (“S.A.2”) dated June 6, 2017, for the purpose of extending the Term and modifying the Facility Rent; Supplemental Agreement No. 3 (“S.A.3”) dated August 11, 2020, for the purpose of extending the Term and modifying the Facility Rent; and

WHEREAS, the LESSOR and LESSEE now wish to enter into this Supplemental Agreement No. 4 (“S.A.4”) amending the Agreement, S.A.1, S.A.2, and S.A.3 to extend the Term and adjust the Facility Rent; and

WHEREAS, this S.A.4 supersedes or amends the Agreement, S.A.1, S.A.2, and S.A.3 between the Parties, but only to the extent specifically set forth in this S.A.4; and that all other terms and conditions of the Agreement, S.A.1, S.A.2, and S.A.3 not specifically amended herein, remain unchanged and binding upon the Parties.

NOW, THEREFORE, in consideration of the mutual promises and agreements herein set forth, the Parties do hereby covenant and agree as follows:

1. OPTION TERMS

Section 3. Option Terms of the Agreement is amended to add the following:

This Agreement is renewable for three (3), one-year Option Terms as follows:

- The Eighth Option Term shall commence on May 1, 2023 and expire on April 30, 2024
- The Ninth Option Term shall commence on May 1, 2024 and expire on April 30, 2025
- The Tenth Option Term shall commence on May 1, 2025 and expire on April 30, 2026

By execution of this S.A.4, LESSEE hereby exercises its Eighth Option Term for the period commencing on May 1, 2023 and continuing through April 30, 2024, and LESSOR hereby accepts such exercise.

2. FACILITY RENT DURING INITIAL TERM AND OPTION TERMS

Effective May 1, 2023, Section 5. Facility Rent During Initial Term and Option Terms of the Agreement is amended to add the following:

Facility Rent for the three (3), one-year (1) Option Terms, shall be set at \$3.37 per square foot consisting of 3,640 square feet. This Facility Rent shall result in an annual payment of \$12,266.76, payable in monthly installments of \$1,022.23.

3. OTHER TERMS

All other terms and conditions of the existing Agreement between the Parties hereto are incorporated herein and reaffirmed.

IN WITNESS WHEREOF, the Parties hereto have executed this S.A.4 the day and year first above written.

ATTEST:

THE WICHITA AIRPORT AUTHORITY
WICHITA, KANSAS

By _____
Jamie Buster, City Clerk

By _____
Brandon J. Whipple, President
"LESSOR"

By _____
Jesse R. Romo, Director of Airports

ATTEST:

By _____

By _____
Steven Dralle, Regional President
EAGLEMED, LLC
"LESSEE"

APPROVED AS TO FORM: _____ Date: _____
Jennifer Magaña,
City Attorney and Director of Law

City of Wichita
City Council Meeting
February 28, 2023

TO: Wichita Airport Authority

SUBJECT: EagleMed, LLC
Supplemental Agreement No. 5
1761 Airport Road, Suite 400
Wichita Dwight D. Eisenhower National Airport

INITIATED BY: Department of Airports

AGENDA: Wichita Airport Authority (Consent)

Recommendation: Approve Supplemental Agreement No. 5.

Background: In May 2012, the Wichita Airport Authority approved an agreement with EagleMed, LLC (EagleMed), an air medical transport service provider, to lease storage space at a multi-tenant facility located at 1761 Airport Road, Suite 400, on the Wichita Dwight D. Eisenhower National Airport.

Analysis: EagleMed requests to amend the agreement to allow three, one-year option periods, effective February 1, 2023.

Financial Considerations: The facility rent to lease the 1,351 square feet of storage space has been increased to \$8.65 per square-foot, which is a three percent increase compared to the previous year. The annual rent for this agreement is \$11,686.

Legal Considerations: The Law Department has reviewed and approved the supplemental agreement as to form.

Recommendations/Actions: It is recommended that the Wichita Airport Authority approve the supplemental agreement and authorize the necessary signatures.

Attachment: Supplemental Agreement No. 5

SUPPLEMENTAL AGREEMENT NO. 5

By and Between

WICHITA AIRPORT AUTHORITY
Wichita, Kansas

and

EagleMed, LLC

for

Use of Facility – 1761 Airport Road, Suite 400
Wichita Dwight D. Eisenhower National Airport
Wichita, Kansas

THIS SUPPLEMENTAL AGREEMENT NO. 5 is entered into this February 28, 2023, between THE WICHITA AIRPORT AUTHORITY, Wichita, Kansas (LESSOR) and EAGLEMED, LLC, (LESSEE) are referred to collectively herein as the “Parties”.

WHEREAS, the Parties entered into a Use and Lease Agreement (“Agreement”) on May 15, 2012; Supplemental Agreement No. 1 (“S.A.1”) dated August 21, 2012, for the purpose of additional office space; Supplemental Agreement No. 2 (“S.A.2”) dated April 16, 2013, for the purpose of additional office space; Supplemental Agreement No. 3 (“S.A.3”) dated February 14, 2017, for the purpose of extending the Term, modifying the Premises and the Facility Rent; and Supplemental Agreement No. 4 (“S.A.4”) dated August 11, 2020, for the purpose of extending the Term, modifying the Premises and the Facility Rent; and

WHEREAS, the LESSOR and LESSEE now wish to enter into this Supplemental Agreement No. 5 (“S.A.5”) amending the Agreement, S.A.1, S.A.2, S.A.3, and S.A.4 to extend the Term and adjust the Facility Rent; and

WHEREAS, this S.A.5 supersedes or amends the Agreement, S.A.1, S.A.2, S.A.3 and S.A.4 between the Parties, but only to the extent specifically set forth in this S.A.5; and that all other terms and conditions of the Agreement, S.A.1, S.A.2, S.A.3 and S.A.4 not specifically amended herein, remain unchanged and binding upon the Parties.

NOW, THEREFORE, in consideration of the mutual promises and agreements herein set forth, the Parties do hereby covenant and agree as follows:

1. OPTION TERMS

Section 3. Option Terms of the Agreement is amended to add the following:

This Agreement is renewable for three (3), one-year Option Terms as follows:

- The Tenth Option Term shall commence on February 1, 2023 and expire on January 31, 2024
- The Eleventh Option Term shall commence on February 1, 2024 and expire on January 31, 2025
- The Twelfth Option Term shall commence on February 1, 2025 and expire on January 31, 2026

By execution of this S.A.5, LESSEE hereby exercises its Tenth Option Term for the period commencing on February 1, 2023 and continuing through January 31, 2024, and LESSOR hereby accepts such exercise.

2. FACILITY RENT DURING INITIAL TERM AND OPTION TERMS

Effective February 1, 2023, Section 5. Facility Rent During Option Terms of the Agreement is amended to add the following:

Facility Rent for the three (3), one-year (1) Option Terms, shall be set at \$8.65 per square foot consisting of 1,351 square feet of storage space. This Facility Rent shall result in an annual payment of \$11,686.20, payable in monthly installments of \$973.85.

3. OTHER TERMS

All other terms and conditions of the existing Agreement between the Parties hereto are incorporated herein and reaffirmed.

IN WITNESS WHEREOF, the Parties hereto have executed this S.A.5 the day and year first above written.

ATTEST:

THE WICHITA AIRPORT AUTHORITY
WICHITA, KANSAS

By _____
Jamie Buster, City Clerk

By _____
Brandon J. Whipple, President
"LESSOR"

By _____
Jesse R. Romo, Director of Airports

ATTEST:

By _____

By _____
Steven Dralle,
Regional President,
EAGLEMED, LLC
"LESSEE"

APPROVED AS TO FORM: _____ Date: _____
Jennifer Magaña,
City Attorney and Director of Law